

# **CHAPTER 9**

## **SUBDIVISIONS**

### **SECTION 1: AUTHORITY**

This chapter is adopted under authority of the constitution and laws of the State of Texas, including particularly Chapter 231, Acts of the 40th Legislature, Regular Session, as heretofore or hereafter amended, compiled as Article 974a, V.A.C.S., the provisions of Section 4 of the Municipal Annexation Act as heretofore or hereafter amended, compiled as Article 970a, V.A.C.S., and pursuant to the provisions of the charter of the City of College Station, Texas.

### **SECTION 1A: FUNCTION OF PLANNING AND ZONING COMMISSION**

In accordance with the authority granted by applicable statutes, ordinances, and regulations, the commission shall approve or disapprove plats, subdivisions, and replats of land within the corporate limits and extraterritorial jurisdiction of the City. If a plat conforms to this article, state law, and all other rules and regulations pertaining to the platting of land, the commission shall endorse its approval upon the plat.

**(Ordinance No. 2179 of May 9, 1996)**

If the subject property has been rezoned to PDD Planned Development District, the City Council may approve general modifications to the subdivision standards. The general modifications shall be indicated in the ordinance that rezones the property. The City Planning Staff shall determine the specific standards that comply with the general modifications of the subdivision standards at the time a site plan is approved. The applicant of the City Planning Staff may have the Planning and Zoning Commission determine the specific standards that comply with the general modifications approved by the City Council.

**(Ordinance No. 2508 of August 9, 2001)**

### **SECTION 1B: FUNCTION OF THE CITY COUNCIL**

The City Council shall be the authority for approving or disapproving requests for oversize participation and development agreements requesting deferral of specific requirements of this Chapter."

**(Ordinance No. 2386 of April 22, 1999)**

### **SECTION 2: SCOPE AND PURPOSE**

2-A This chapter shall govern all subdivisions (see definition of subdivision) of land within the corporate limits of the City of College Station, Texas, and within the extraterritorial jurisdiction of the City as established by the Municipal Annexation Act. Such area is extended to two (2) miles from the corporate limits surrounding the City of College Station, not a part of any other city, and if by law such distance is changed, this chapter shall apply to and be in conformity with the distances so approved by law or any amendments thereto.

2-B The subdivision of land is a major factor in the process of sound community growth and ultimately becomes a public responsibility in that the streets must be maintained and various public services customary to urban areas must be provided. The welfare of the entire community is thereby affected in many important respects. Therefore, it is to the interest of the public, to the developer, and to the future owners, that the subdivisions be conceived, designed, and developed in accordance with sound rules and proper minimum standards. It is in the intent of these regulations to encourage the growth of the City of College Station in an orderly manner.

- 2-C The provisions set forth in this chapter are intended to provide for harmonious development of the area, and are deemed to be the minimum requirements adopted by the City Council for the protection of the public health, safety, and welfare.
- 2-D This chapter shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to the effective date of this chapter, except for purposes of replatting or further subdivision thereof.

(Ordinance No. 690 of July 15, 1970)

### SECTION 3: DEFINITIONS

For the purpose of this chapter, certain words as used herein are defined as follows:

Easement: See Drainage Easement and Utility Easement.

Engineer means a person duly authorized and licensed under the provisions of the Texas Engineering Registration Act, to practice the profession of engineering.

Extraterritorial Jurisdiction, within the terms of the Texas Municipal Annexation Act, means the unincorporated area, not a part of any other city, which is contiguous to the corporate limits of the City of College Station, the outer boundaries of which are measured from the extremities of the corporate limits of the city, outward for such distances as may be stipulated in the Texas Municipal Annexation Act, in which area, within the terms of the act, the City may enjoin the violation of its subdivision control chapter.

Feeder Line shall mean any line, wire, or cable and appurtenances which distributes, transmits, or delivers a utility service from a source to a general area or to multiple developments, and not to a specific end user.

Lateral Line shall mean any line, wire, or cable and appurtenances used to distribute, transmit, or deliver service from a feeder line to two (2) or more sites or end users of the utility service within a specific development.

Lot is physically an undivided tract or parcel of land as shown on a duly recorded plat.

Major Street includes state highways, major and minor arterial and major collector streets.

Master Development Plan refers to a conceptual, informal map of all contiguous property under common ownership showing potential future subdivision or development. It is of sufficient accuracy to be used for purposes of discussion and classification. It shall include information as described in Section 6-B.1.

Master Preliminary Plat refers to a map of a proposed subdivision or development with the same level of detail as required for a preliminary plat under Section 6-C. A Master Preliminary Plat is essentially several preliminary plats together on one document such that portions may be subsequently submitted for approval as final plats as per Section 6-B.2.1.

Minor Plat as defined by Section 212.0065 of the Texas Local Government Code. A subdivision involving four or fewer lots fronting on an existing street and that does not require the creation of any new street or the extension of municipal facilities.

Mobile Home Park means a parcel of land, under single ownership, which has been planned and improved for placement of mobile homes for nontransient use. See Chapter 3, Section 4 of this Code of Ordinances.

May is permissive.

Pavement Width means the portion of the surface of the street available for vehicular traffic; where curbs are used, it is the portion between the back of curbs.

Planned Unit Development, PUD, means a parcel of land completely planned as a unit development, requiring special handling and approval. See Section 11.

Planning and Zoning Commission means the duly appointed Planning and Zoning Commission of the City of College Station, Texas.

Plat means a map of a subdivision showing the location and boundaries of individual parcels of land subdivided into lots, with streets, alleys, easements, etc., usually drawn to scale; also includes a replat and an amended plat."

Preliminary Plat refers to a map indicating the proposed layout of a subdivision meeting the requirements of Section 6.C.

Principal Street is a street so designated and indicated in the street regulation section of this Code of Ordinances, Chapter 3, Section 5.

Service Line shall mean any line, wire, or cable and appurtenances used to distribute, transmit, or deliver a utility service from a source of supply, feeder line, or lateral line directly to an end user.

Shall is always mandatory.

Street is a way for vehicular traffic, whether designated as a highway, arterial street, collector street, or residential street.

Subdivider means any person or persons, firm, or corporation subdividing a tract or parcel of land to be sold or otherwise handled for his own personal gain or use.

Subdivision means the division of a lot, tract, or parcel of land into two (2) or more parts, lots, or sites, for the purpose, whether immediate or future, of sale, division of ownership or building development. This also includes the resubdivision of land or lots which are a part of a previously recorded subdivision. Divisions of land for agricultural purposes, where no building construction is involved, in parcels of five (5) acres or more, shall not be included within this definition, unless such subdivision of five (5) acres or more includes the planning or development of a new street or access easement. An addition is a subdivision as is defined herein.

Surveyor means a licensed state land surveyor or a registered public surveyor, as authorized by the Texas Land Surveyors Registration Act.

Utility Easement means an interest in land granted to the City, to the public generally, and/or to a private utility company, for installation or maintenance of utilities across, over, or under private land, together with the right to enter thereon with machines and vehicles as necessary for maintenance of such utilities.

Zoning Ordinance refers to the duly enacted zoning ordinance of the City of College Station, Texas, adopted by reference in Chapter 12, Section 2 of this Code of Ordinances.

Definitions not expressly prescribed herein are to be construed in accordance with customary usage in municipal planning and engineering practices."

(Ordinance No. 2269 of October 9, 1997)

## SECTION 4: SPECIAL PROVISIONS

### 4-A Plat Required

The subdivider of a tract of land located within the limits or in the extraterritorial jurisdiction of the City shall prepare and submit for approval a plat of the subdivision in accordance with Section 6 of this Chapter.

### 4-B Unapproved Final Plat

No building, repair, plumbing, or electrical permit shall be issued by the City for any structure on a lot in a subdivision for which a final plat has not been approved and filed for record.

### 4-C Noncompliance With Standards

No building repair, plumbing or electrical permit shall be issued for any structure on a lot within a subdivision in which the standards contained herein or referred to herein have not been complied with in full.

### 4-D No City Maintenance

The City shall not repair, maintain, install or provide any streets or public utilities or services in any subdivision for which a final plat has not been approved and filed for record, nor in which the standards contained herein or referred to herein have not been complied with in full.

### 4-E No Utility Service

The City shall not sell or supply water, gas, electricity, or sewerage within a subdivision for which a final plat has not been approved and filed for record, nor in which the standards contained herein have not been complied with in full.

### 4-F Enforcement

On behalf of the City, the City Attorney shall, when directed by the City Council, institute appropriate action in a court of competent jurisdiction to enforce the provisions of this ordinance or the standards referred to herein with respect to any violation thereof which occurs within the City, within the extraterritorial jurisdiction of the City, as such jurisdiction is determined under the Municipal Annexation Act, or within any area subject to all or part of the provisions of this ordinance.

### 4-G Record of Noncompliance

If any subdivision exists for which a final plat has not been approved or in which the standards contained herein or referred to herein have not been complied with in full, the City Council shall pass a resolution reciting the fact of such noncompliance or failure to secure final plat approval, and reciting the fact that the provisions of paragraphs 4-B, 4-C, 4-D, and 4-E of this section shall apply to the subdivision and lots therein.

- (1) The City secretary shall, when directed by the City Council, cause a certified copy of such resolution under the corporate seal of the City to be filed in the Deed Records of the County.
- (2) If such compliance and final plat approval are secured after the filing of such resolution, the City Secretary shall forthwith file an instrument in the Deed Records of the County stating that Paragraphs 4-B, 4-C, 4-D, and 4-E no longer apply.

### 4-H Grandfathered

Provided, however, that the provisions of this section shall not be construed to prohibit the issuance of permits for any lot or undivided tract or parcel of land upon which a residence exists and was in existence prior to the passage of this subdivision ordinance, nor to prohibit the repair, maintenance, or installation of any street or public utility service for, to, or abutting any lot, the last record conveyance of which prior to passage of this ordinance was by metes and bounds, and/or any subdivision, or lot therein, recorded or unrecorded, which subdivision was in existence prior to the passage of this ordinance."

(Ordinance No. 2027 of August 26, 1993)

## SECTION 5: VARIANCES

5-A The Commission may authorize a variance from the regulation when, in their opinion, undue hardship will result from requiring strict compliance. In granting a variance, the Commission shall prescribe only conditions that it deems not prejudicial to the public interest. In making the findings hereinbefore required, the Commission shall take into account the nature of the proposed use of the land involved, the existing use of land in the vicinity, the number of persons who will reside or work in the proposed subdivision, the possibility that a nuisance will be created, and the probable effect of such variance upon traffic conditions and upon public health, convenience, and welfare of the vicinity. No variance shall be granted unless the Commission finds:

5-A.1 That there are special circumstances or conditions affecting the land involved such that strict application of the provisions of this chapter will deprive the applicant of the reasonable use of his land;

5-A.2 That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;

5-A.3 That the granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property in the area, or to the City in administering this chapter; and

5-A.4 That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter.

5-B Such findings of the Commission, together with the specific facts upon which such findings are based, shall be incorporated into the official minutes of the meetings at which such variance is granted. Variances may be granted only when in harmony with the general purpose and intent of this chapter so that public health, safety, and welfare may be secured and substantial justice done.

(Ordinance No. 2179 of May 9, 1996)

### 5-C. Variance from Water Flow Requirements

It is specifically intended and hereby provided that the various provisions of Section 5, "Variances", shall not apply to fire flow provisions set out in Paragraphs 8-O, 12-P.4 and 13-D.

(Ordinance No. 2740 of August 9, 2004)

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## SECTION 6: PROCEDURE AND PLAT REQUIREMENTS

### 6-A General

6-A.1 The procedure for review and approval of a subdivision plat generally consists of seven (7) steps. The subdivider may first request a pre-application meeting. The second step is the preparation and submission of a preliminary plat of the proposed subdivision with the appropriate application form and impact studies, if applicable.. The third step is the consideration of the preliminary plat by the Development Services staff. The fourth step is the consideration of the preliminary plat by the Planning & Zoning Commission. The fifth step is the application submittal for the final plat with the appropriate application form and construction documents. The sixth step is the consideration by the Commission of a final plat together with the required certificates and data. If favorable action had been taken by the Commission, the final plat becomes the instrument to be recorded in the Office of the County Clerk when all requirements have been met. The construction documents when duly signed by the City Engineer are authority to proceed with the construction of streets and utilities. Nothing in the procedure authorizes construction on private property.

(Ordinance No. 2404 of August 12, 1999)

### 6-A.2 Pre-Application Meeting

Prior to any application submittal, the subdivider shall have familiarized himself with the subdivision regulations and the Zoning Ordinance, and may request a pre-application meeting. A date and time for the meeting will be during business hours at the City Hall, and held within ten (10) calendar days of the date of the request. The subdivider shall bring to this meeting a City map with the proposed subdivision marked thereon, and information relative to the proposed development. He shall be prepared to discuss its conformity with the Comprehensive Plan of the City.

(Ordinance No. 2179 of May 9, 1996)

### 6-B Master Development Plan

6-B.1 A master development plan is required for developments where there are planning issues including but not limited to street locations and sizes, public facility locations, lot layout, park and greenbelt locations, etc. - to be addressed and where there will be subsequent preliminary and or final plats occurring over a long period of time.

All Master Development Plans must be reviewed and approved by the Planning & Zoning Commission. Once a Master Development Plan is approved, the applicant may submit a Master Preliminary Plat covering the entire area included on the Master Development Plan.

Developments that will be developed in one phase will not require submission of a Master Development Plan. The applicant shall submit a Preliminary Plat.

Any master development plan shall depict the following:

- (a) proposed land uses, including but not limited to street rights-of-way;
- (b) proposed zoning changes;
- (c) proposed drainage development;
- (d) proposed public improvements, including but not limited to parks, schools, and other public facilities.

### 6-B.2 Subsequent Preliminary Plats

6-B.2.1 When a master development plan is approved, the subdivider may submit a master preliminary plat covering the entire area shown on the master development plan, and indicate thereon his proposed plan of development by increments. This master preliminary plat must be reviewed and approved by

the Commission. If a master preliminary plat is not submitted, then each individual preliminary plat of an area must be reviewed and approved by the Commission. Each subsequent final plat from an approved master preliminary plat or preliminary plat must be reviewed and approved by the Commission..

After approval of this master preliminary plat, the subdivider may submit fractional final plats in accordance with the master preliminary plat by units or areas. Each increment or area must be adjacent to a preceding development or area. A master preliminary plat shall be effective for a period of one (1) year, and may be extended for an additional period of twelve (12) months, upon written request and approval of the Commission. The approval of each increment as a final plat will extend the approval of the master preliminary plat for twelve (12) months.

**(Ordinance No. 2386 of April 22, 1999)**

**6 B.3 Processing Master Development Plans and Master Preliminary Plats**

6-B.3.1 When the master development plan or master preliminary plat is received with subdivider's application for approval and the fee, all copies received shall be dated, stamped, and signed, and one (1) copy returned to the subdivider and immediately distributed to other City departments concerned for their review.

6-B.3.2 A copy of the master development plan or master preliminary plat will be forwarded to the Commission with staff comments.

**(Ordinance No. 2404 of August 12, 1999)**

6-B.3.3 The applicant will be advised of the date set for Commission consideration.

**(Ordinance No. 2179 of May 9, 1996)**

6-B.3.4 Within thirty (30) days after the master development plan or master preliminary plat is formally filed with the City, the Commission shall approve or disapprove the plan/plat.

6-B.3.5 Following formal action by the Commission, the City will transmit to the subdivider one (1) copy of the plat marked "APPROVED".

**(Ordinance No. 2386 of April 22, 1999)**

6-B.3.6 Approval or conditional approval of a master development plan or master preliminary plat shall be effective for one (1) year from the date of such notice, unless reviewed by the Commission in light of new or significant information which would necessitate a revision, in which case the Commission shall so inform the subdivider in writing.

6-B.3.7 If a final plat is not submitted within one (1) year of the effective date of approval, the Commission may, upon written application of the subdivider, extend the approval for an additional six (6) months.

**6-C Preliminary Plat:**

6-C.1 The application date shall be at least twenty (20) calendar days prior to the meeting of the Commission, at which time the preliminary plat is to be considered. The subdivider shall submit paper copies of the Preliminary Plat, and a mylar copy of the proposed subdivision, drawn to a scale of not less than one hundred feet (100') per inch. The words "PRELIMINARY PLAT - NOT FOR RECORD" shall appear on the plat in letters 1/2" high. The date the plat was submitted and the dates of any revisions shall legibly



appear on the plat. The subdivider shall submit with the Preliminary Plat an application for approval on forms available in the Planning Department.

(Ordinance No. 2179 of May 9, 1996)

- 6.C.2 An applicant may request oversize participation on any infrastructure, as provided in Section 9 of these regulations. In order to do so, impact studies covering the particular infrastructure must be submitted justifying the request for oversize. These studies shall indicate what size infrastructure is necessary to serve the proposed development as shown on an approved master development plan or master preliminary plat. If the city's comprehensive plan calls for infrastructure in excess of that required for the proposed development, the applicant may request participation for this additional size. The City Council will consider and approve or disapprove oversize participation requests.

(Ordinance No. 2386 of April 22, 1998)

- 6-C.3 An application fee shall be established by Council resolution from time-to-time. Application fees are not refundable but shall not be required on subsequent submittals of revised plats.
- 6-C.4 The plat shall be drawn on sheets 24" x 36". When more than one sheet is necessary to accommodate the entire area, an index sheet at appropriate scale showing the entire area, shall be attached. The plat shall be drawn on mylar film positive accompanied by ten (10) paper copies.
- 6-C.5 The plat shall conform to the general requirements and minimum standards of Design and Improvements as set forth in Articles III and IV, and shall show specifically:
- 6-C.5.1 The name and address of the subdivider, record owner, planner, engineer, and surveyor.
- 6-C.5.2 The proposed name of the subdivision, which shall not have the spelling as or be pronounced similar to the name of any other subdivision located within Brazos County, Texas.
- 6-C.5.3 The name of contiguous subdivisions and names of owners of contiguous parcels of unsubdivided land, and an indication whether or not contiguous properties are platted.
- 6-C.5.4 Descriptions by metes and bounds of the subdivision which shall close within accepted land survey standards.
- 6-C.5.5 Primary control points or descriptions and ties to such control point, to which, later, all dimensions, angles, bearings, block numbers, and similar data shall be referred. The plat shall be located with respect to a corner of the survey or tract, or an original corner of the original survey of which it is a part.
- 6-C.5.6 Subdivision boundary lines, indicated by heavy lines, and the computed acreage of the subdivision.
- 6-C.5.7 Existing features as follows:
- (a) The location, dimension, name and description of all recorded streets, alleys, reservations, easements, or other public or private rights-of-way within the subdivision, intersecting or contiguous with its boundaries or forming such boundaries. In the case of pipelines carrying flammable gas or fuel, the approximate location, size of line, design pressure and product transported through the line shall be shown.

- (b) The location, dimension, description and name of all existing or recorded lots, parks, public areas, permanent structures and other sites within or contiguous with the subdivision.
- (c) The location, dimensions, description, and flow line of existing watercourses and drainage structures within the subdivision or contiguous thereto.
- (d) The location of the one hundred (100) year flood according to the most recent best available data.

6-C.5.8 Date of preparation, scale in feet, and north arrow.

6-C.5.9 Topographic information, including contours at two foot (2') intervals, flow line elevation of streams, and wooded areas.

6-C.5.10 The location, approximate dimensions, description and name of all proposed streets, alleys, drainage structures, parks, or other public areas, reservations, easements, or other rights-of-way, blocks, lots, and other sites within the subdivision. Proposed channel cross sections, if any. Existing and/or proposed well site locations.

6-C.5.11 A number or letter to identify each lot or site and each block.

6-C.5.12 Location of current city limits line, and current zoning district boundary.

6-C.5.13 Vicinity map at a scale of not less than five hundred feet (500') per inch, which shall show existing subdivisions, streets, easements, right-of-way, parks, and public facilities in the vicinity, and the general drainage plan and ultimate destination of water for a distance of one quarter (1/4) mile, and possible storm sewer, water, gas, electric, and sanitary sewer connections by arrows.

6-C.5.14 Show number of residential lots.

**(Ordinance No. 2179 of May 9, 1996)**

6-C.6 If a change in zoning is contemplated or necessary, the subdivider shall submit a formal request of zoning change as required under the zoning ordinance with the preliminary plat application."

**(Ordinance No. 2386 of April 22, 1999)**

6-C.7 Processing the Preliminary Plat

6-C.7.1 When the preliminary plat is received with subdivider's application for approval and the filing fee, all copies received shall be dated, stamped, and signed, and one (1) copy returned to the subdivider and immediately distributed to other City departments concerned for their review .

6-C.7.2 A copy of the preliminary plat will be forwarded to the Commission with staff comments.

**(Ordinance No. 2404 of August 12, 1999)**

6-C.7.3 The applicant will be advised of the date set for Commission consideration.

6-C.7.4 Within thirty (30) days after the preliminary plat is formally filed with the City, the Commission shall approve, disapprove or conditionally approve the plat with modifications.

6-C.7.5 Approval or conditional approval of a preliminary plat shall be effective for one (1) year from the date of such notice, unless reviewed by the Commission in the light of new or significant information which would necessitate a revision, in which case the Commission shall so inform the subdivider in writing.

6-C.7.6 If a final plat is not submitted within one (1) year of the effective date of approval, the Commission may, upon written application of the subdivider, extend the approval for an additional six (6) months.

(Ordinance No. 2179 of May 9, 1996)

6-D General - Final Plats (including replats, minor plats, amending plats)

6-D.1 These plats shall conform to the preliminary plat as approved by the Commission, and if desired by the subdivider, it may be a portion of a master preliminary plat as authorized in 6-B.2 above; provided it incorporates all changes, modifications, corrections, and conditions imposed by the Commission; and provided further, that it conforms to all requirements of these regulations.

(Ordinance No. 2386 of April 22, 1999)

6-D.2 Filing Fees

There shall be an application fee as established by Council resolution from time to time for the filing of final plats, amending plats and minor plats.

6-D.3 Time of Filing

Ten (10) copies of the plat, together with a film positive thereof, two (2) sets of construction plans and documents, tax payment certificates, and a formal application shall be filed with the City, with the application fee, at least twenty (20) days prior to the (1) meeting of the Commission at which it is to be considered or (2) prior to consideration by the City Engineer, in the case of minor and amending plats. The plat will not be considered unless a preliminary plat has been filed and approved, except in the case of dedication of land for a street, park, school site, or drainage easements.

6-D.4 Form and Content

6-D.4.1 The plat shall be drawn on sheets twenty-four inches (24") by thirty-six inches (36"), on a scale of one hundred feet (100') to one inch (1"). Where more than one (1) sheet is required, an index sheet showing the entire subdivision, and drawn to a scale of not less than five hundred feet (500') per inch shall be attached. The construction plans shall be drawn on twenty-four inch (24") by thirty-six inch (36") sheets.

6-D.4.2 In addition to the various requirements of the preliminary plat, the final, amending or minor plat shall also include the following, based on field survey and marked by monuments and markers:

6-D.4.2.1 The exact location, dimensions, name, and legal description of all existing or recorded streets, alleys, reservations, easements, or other rights-of-way within the subdivision, intersecting or contiguous with the boundary or forming such a boundary with accurate dimensions, bearings or deflection angles and radii, area, center angle, degree of curvature, tangent distance, and length of all curves, where applicable.

6-D.4.2.2 The exact location, dimensions, description, and name of all proposed streets, alleys, drainage structures, parks, and other public areas,

reservations, easements, or other rights-of-way, blocks, lots, and other sites within the subdivision, with accurate dimensions, bearings, or deflection angles and radii, areas, center angle, degree of curvature, tangent distance, and length of curves, where applicable.

(Ordinance No. 2179 of May 9, 1996)

6-D.4.2.3 Lot corner markers and survey monuments shall be shown clearly by symbol, and clearly tied to City of College Station horizontal control monuments, established 1994, whenever reasonable.

(Ordinance No. 2404 of August 12, 1999)

6-D.4.2.4 The following certificates, when applicable, shall appear on the face of the plat: (See samples in Appendix A attached.)

Certificate of Ownership and Dedication;  
Certificate of Surveyor and/or Engineer;  
Certificate of City Engineer;  
Approval of Commission; and  
Certificate of the County Clerk.

6-D.4.3 When filed, the plat shall be accompanied by the construction documents as prescribed below, in duplicate, and bearing the seal and signature of a registered professional engineer. All shall be in accordance with city engineering standards.

6-D.4.3.1 Street, alley, and sidewalk plans, profiles, and sections, with specifications and detail cost estimates.

6-D.4.3.2 Sanitary sewer plat with two foot (2') contours, plan and profile lines, showing depth and grades, with cost estimates.

6-D.4.3.3 Water line plat showing fire hydrants, valves, etc., with specifications and a detailed cost estimate. This may be combined with 6-D.4.3.2.

6-D.4.3.4 Storm drainage system plat with two foot (2') contours, street lines, inlets, storm sewer and drainage channels with profiles and sections, and showing drainage and runoff areas, and runoff based on five (5), ten (10), and twenty-five (25) year rain intensity. Detail drainage structure design and channel lining design if used, with specifications and detail cost estimate.

6-D.4.3.5 Street lighting plan showing location of lights, design, and with specifications and detail cost estimate.

6-D.4.4 When filed, the final plat shall also be accompanied by certificates from all taxing agencies showing payment of all ad valorem taxes on the land within the subdivision.

#### 6-D.5 Processing the Final Plat, Amending Plat or Minor Plat

6-D.5.1 When the final plat, together with the accompanying data, filing fee, and the application for approval is received by the City Planner, it will

be handled in the same manner and under the same time schedule as prescribed in Section 6C above for a preliminary plat.

6-D.5.2 Within thirty (30) days after the final plat is formally filed, the Commission shall approve, disapprove, or conditionally approve such plat.

6-D.5.3 Within twenty (20) days after an amending or minor plat is formally filed, the City Engineer, or his designee, and the City Planner, or his designee, shall approve such plat or notify the applicant that consideration of the plat will be forwarded to the Commission. The Commission shall approve, disapprove or conditionally approve the plat within thirty (30) days of the City Engineer's decision and notification to the applicant.

A report shall be made to the Commission at each meeting notifying the Commission of any new minor or amending plats that were approved by the City Engineer since the last Commission meeting. The same report shall be forwarded to the Council through the Office of the City Manager.

6-D.5.4 After conditional approval of a plat, the subdivider shall notify the City Engineer within ten (10) days as to the construction procedure he proposes to follow. He shall follow one (1) of the following procedures:

6-D.5.4.1 The subdivider may proceed with construction of streets, alleys, sidewalks, and utilities that he is required to install, in which case the City will inspect the work as it progresses, and upon completion and final acceptance, and upon written request of the subdivider, the final plat will be approved and filed for record with the County Clerk. The subdivider shall pay the record filing fee.

6-D.5.4.2 The subdivider may elect to file a "guarantee of performance" as provided in Section 7, in which case the guarantee of performance shall be filed with the City Secretary, together with a request that the plat be filed for record. In this case, the final plat will be approved and filed with the County Clerk. The subdivider shall pay the record filing fee. The City will inspect the construction work as it progresses and will make the final inspection to assure compliance with City requirements.

6-D.5.5 Upon completion of construction, the subdivider shall deliver to the City a one (1) year guarantee of workmanship and materials as provided in Section 7.

(Ordinance No. 2179 of May 9, 1996)

## SECTION 7: GUARANTEE OF PERFORMANCE

7-A If the subdivider elects to construct the required improvements prior to recording of the plat, after such plat has been approved, all such construction shall be inspected while in progress, by the City Engineering department, and must be approved upon completion by the City Engineer. A certificate by the City Engineer that the construction conforms to the plans and specifications and the standards contained in or referred to herein must be presented to the commission prior to approval of the final plat.

7-B If the subdivider decides or elects to file security in lieu of completing construction prior to final plat approval, he may utilize one (1) of the following methods of posting security. If the subdivider elects to file security, the plat shall not be approved unless the subdivider has done one (1) of the following:

### 7-B.1 Performance Bond

Has filed with the commission a bond executed by a surety company holding a license to do business in the State of Texas, and acceptable to the City of College Station on a form approved by the City, in an amount of the improvements as estimated by the City Engineer. The performance bond shall be approved as to form and legality by the City Attorney; or

### 7-B.2 Trust Agreement

Has placed on deposit in a bank or trust company in the name of the City, and approved by the City, in a trust account, a sum of money equal to the estimated cost of all improvements required by this chapter, the cost and the time of completion as estimated by the City Engineer; selection of the trustee shall be subject to approval by the city and the trust agreement shall be executed on the form provided by the city and approved as to form and legality by the City Attorney. Periodic withdrawals may be made from the trust account for a progress payment of installation costs. The amount of withdrawals shall be based upon progress work estimates approved by the City Engineer. All such withdrawals shall be approved by the trustee; or

### 7-B.3 Unconditional Guarantee from Local Bank or Local Savings & Loan Association or Other Financial Institution as Approved by the City of College Station

Has filed with the commission a letter, in a form approved by the city, signed by a principal officer of a local bank, local savings and loan association, or other financial institution, acceptable to the city, agreeing to pay to the City of College Station, on demand, a stipulated sum of money to apply to the estimated cost of installation of all improvements for which the subdivider is responsible under this chapter. The guaranteed payment sum shall be the estimated costs and scheduling as prepared by the subdivider's engineer and approved by the City Engineer. The letter shall state the name of the subdivision and shall list the improvements which the subdivider is required to provide.

7-C If one (1) of the three (3) types of security is filed by the subdivider under paragraph 7-B of this section, the City Engineer shall inspect the construction of improvements while in progress, and, shall inspect such improvements upon completion of construction. After final inspection, he shall notify the subdivider and the City Attorney in writing as to its acceptance or rejection. He shall reject such construction only if it fails to comply with the standards and specifications contained or referred to herein. If he rejects such construction, the City Attorney shall, on direction of the City Council, proceed to enforce the guarantees provided in this chapter.

7-D When good cause exists, the City Engineer may extend the period of time for completion under paragraph 7-B of this section. Such extension of time shall be reported to the Commission and recorded in the minutes. No such extension shall be granted unless security, as provided in said paragraph 7-B, has been provided by the subdivider covering the extended period of time.

- 7-E Neither the subdivider nor the contractor nor the subcontractor shall make a connection to or tap into the city water distribution system, electric system, or sanitary sewer system. The subdivider shall furnish all necessary materials to make the final tap or connection.
- 7-F The subdivider shall require his construction contractors, with whom he contracts for furnishing materials and for installation of the improvements required under this chapter, and shall himself be required to furnish to the city a written guarantee that all workmanship and materials shall be free of defects for a period of one (1) year from the date of acceptance by the City Engineer.

**(Ordinance No. 690 of July 15, 1970)**

## SECTION 8: GENERAL REQUIREMENTS AND MINIMUM STANDARDS OF DESIGN

### 8-A Community Assets

In all subdivisions, due regard shall be shown for all natural features such as trees, water-courses, historical spots, and similar community assets, which, when preserved, will add attractiveness and value to the property.

### 8-B Suitability of Lands

The Commission shall not approve the subdivision of land if, from adequate investigations conducted by all public agencies concerned, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed. Land subject to flooding and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life, or property, or aggravate erosion or flood hazard. Such land within the plat shall be set aside for such uses as shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

### 8-C Large Tracts or Parcels

When land is subdivided into larger parcels rather than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further subdivisions. If the comprehensive plan of the City requires principal streets to cross the subdivision, the right-of-way shall be dedicated to the public.

### 8-D Zoning and Other Regulations

No plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to such zoning or other pertinent regulations.

### 8-E Reserved Strips Prohibited

There shall be no reserved strips controlling access to land dedicated or intended to be dedicated to the public.

(Ordinance No. 1971 of August 27, 1992)

### 8-F Standards

All construction on streets, alleys, or easements shall be designed and constructed in accordance with the *Bryan/College Station Unified Design Guidelines and the Bryan/College Station Unified Technical Specifications* and all applicable state and federal requirements. Where there is a conflict of standards, the more stringent standard as determined by the City Manager, or his designee, shall apply. The City shall accept for public use only streets, alleys, water and sewer main extensions that comply with these standards for construction.

(Ordinance No. 2816 of July 28, 2005)

### 8-G Streets

#### 8-G.1 Street Layout

Adequate streets shall be provided by the subdivider such that the arrangement, character, extent, width, and grade of each shall conform to the comprehensive plan of the city and shall be considered in their relation to existing and planned streets, to the topographical conditions, to the public safety and convenience, and to their appropriate relationship to the proposed use of the land to be served by such streets.

(Ordinance No. 1971 of August 27, 1992)



#### 8-G.2 Relation to adjoining Street Systems

Where necessary to the neighborhood pattern, existing streets in adjacent or adjoining areas shall be continued, in alignment therewith. Where adjoining areas are not subdivided, the arrangement of streets in the subdivision shall make provision for the proper projection of streets into such areas.

No tract, lot or parcel shall be subdivided unless the required internal street system adjoins an existing, paved public right-of-way.

Oversize participation, at the City's request, will be granted pursuant to Section 9 herein.

**(Ordinance No. 2563 of June 13, 2002)**

#### 8-G.3 Street Jogs

Whenever possible, street jogs with center-line offsets of less than one hundred twenty-five feet (125') shall be avoided.

#### 8-G.4 Half Streets

No half streets shall be platted.

#### 8-G.5 Dead-end Streets

Dead-end streets shall be prohibited except short stubs to permit extension. Temporary turnarounds may be required.

**(Ordinance No. 1971 of August 27, 1992)**

#### 8-G.6 Cul-de-Sacs

Cul-de-sacs shall have twenty-four (24) or fewer lots, and shall terminate in a turnaround not less than one hundred feet (100') in diameter, with a pavement diameter of eighty feet (80').

**(Ordinance No.2404 of August 12, 1999)**

#### 8-G.7 Street Intersections

Acute angles between streets at their intersections are to be avoided.

**(Ordinance No. 1971 of August 27; 1992)**

#### 8-G.8 Principal Streets on Master Plan

Where subdivision embraces a principal street as shown on the master plan of the city, such street shall be platted to maintain continuity in the approximate location as shown, and of the type indicated. In certain cases the city may have constructed a street through the area to be subdivided, in which case the subdivider shall develop the necessary street intersections at his expense, in accordance with the requirements of this chapter. The Planning Commission may require that, where practical, residential lots adjacent to arterial and collector be platted or restricted so as to prevent driveways opening into such streets.

#### 8-G.9 Minor Streets

Minor streets shall be laid out to discourage their use of through traffic.

**(Ordinance No. 2269 of October 9, 1997)**

#### 8-G.10 Geometric Standards, Street Design Criteria

Design criteria for urban and rural streets and alleys are contained in the *Bryan/College Station Unified Design Guidelines* and the *Bryan/College Station Unified Technical Specifications*.

(Ordinance No. 2816 of July 28, 2005)

#### 8-G.11 Street Names

New streets shall not only be named so as to provide continuity of existing streets, but shall be named to prevent conflict with identical or similar names in other parts of the City. New streets shall not be named after any living person.

#### 8-H Alleys

8-H.1 Alleys may be required at the rear of all lots intended to be used for business purposes and may be provided in residential areas.

(Ordinance No. 1971 of August 27, 1992)

8-H.2 Alleys shall generally be parallel to the street and shall be paved. The right-of-way for alleys shall be dedicated to the public.

(Ordinance No. 2816 of July 28, 2005)

8-H.3 Where two (2) alleys intersect, or where an alley turns, additional width may be required to allow turning of vehicles or guying of utility poles.

8-H.4 Dead-end alleys shall not be permitted, except where the alley is one hundred feet (100') or less in length.

(Ordinance No. 1971 of August 27, 1992)

8-H.5 (Deleted in its entirety)

(Ordinance No. 2816 of July 28, 2005)

#### 8-I Easements

##### 8-I.1 Drainage Easements

Where a subdivision is traversed by a watercourse, drainage way, natural channel or stream, there may be required a drainage easement or right-of-way conforming substantially to the limits of such watercourse, plus additional width to accommodate future needs as determined by the City Engineer. No construction, including fences, shall impede, constrict, or block the flow of water in any easement or natural watercourse. Such easement shall not be considered a part of the lot area for purposes of minimum lot size requirements of the zoning ordinance. Drainage easements may be used for utilities.

##### 8-I.2 Utility Easements

8-I.2.1 Each block that does not contain an alley as provided in 8-H above, shall have a utility easement at the rear of all lots, reserved for the use of all utility lines, conduit, and equipment. These utility easements shall be twenty feet (20') in width, taken ten feet (10') from each lot where the rear of the lots abut each other, and shall be continuous for the entire length of a block. These easements shall be parallel as closely as possible to the street line frontage of the block.

8-I.2.2 Normal curb section shall be required where utility easements intersect streets.

8-I.2.3 Where utility easements are not themselves straight within each block, or if the same do not connect on a straight course with utility easements of adjoining blocks, then an additional easement shall be provided for the placement of guy wires on lot division lines in order to support poles set on curving or deviating rights-of-way or easements.

8-I.2.4 Utility easements may be required across parts of lots other than as described above upon recommendation of the City Engineer. Where the proposed subdivision adjoins an unplatted area, the full twenty foot (20') width of easement may be required along the rear of lots adjoining the unplatted area.

8-I.2.5 Utility easements may be fenced if unlocked gates are provided to allow free movement of excavating machines, maintenance equipment, and personnel throughout the full length of the easement.

8-I.2.6 Overhead easements required same as for alleys, see 8-H.5.

8-J      Blocks

8-J.1 Blocks generally shall be platted to provide two (2) tiers of lots with a utility easement or alley between them, with proper regard for drainage channels, wooded areas and other topographical features lending themselves to attractive treatment.

8-J.2 Block length shall not exceed one thousand two hundred feet (1,200') in single-family residential areas and shall not exceed eight hundred feet (800') in other areas. In blocks over eight hundred feet (800') in length, there may be required, near the center of the block, an access way as hereafter defined. An access way may be required at the end of a cul-de-sac to facilitate pedestrian traffic movement.

8-K      Lots

8-K.1 Side lot lines which make acute angles with front lines shall be avoided where practical. In general, an arrangement placing adjacent lots at right angles to each other shall be avoided.

8-K.2 Lot size and setback lines shall be in accordance with zoning requirements. Lots abutting on access ways shall be treated as corner lots.

8-L      Access Way

Access ways, where required, shall have a ten foot (10') right-of-way, dedicated to the public. A four foot (4') sidewalk shall be constructed in the center of the right-of-way conforming to the City Engineering standards.

8-M      Sidewalks

8-M.1 Sidewalks shall be required on both sides of all streets having a right-of-way width equal to or greater than sixty feet (60'). A sidewalk shall be required on one (1) side of all streets with a fifty foot (50') right-of-way with the exception of cul-de-sac streets. A sidewalk may be required on cul-de-sac streets if needed to provide through pedestrian access. Sidewalks shall be placed within the right-of-way as determined by the City Engineer and when so specified.

(Ordinance No. 1971 of August 27, 1992)

8-M.2 The subdivider shall construct all sidewalks according to one of the following placement alternatives:

(a) sidewalks shall be placed against the back of curb and have a minimum paved width of six feet (6');  
OR

(b) sidewalks shall be placed such that a minimum six foot (6') buffer/green space is maintained between the back of curb and the inside edge of the sidewalk. The buffer/green space may be reduced to four feet (4') in width on residential streets with right of way widths not exceeding fifty feet (50'). Sidewalk paved width shall be a minimum of four feet (4') when not located adjacent to curbing;

AND

(c) the subdivider shall assure that these minimums are sufficient to meet the anticipated pedestrian demand in the area.

**(Ordinance No. 2604 dated January 9, 2003)**

8-M.3 Given that a combination or variation from the two placement methods as described in Section 8-M.2 is necessary or desired or that an obstruction is located within the paved area, the following criteria must be satisfied.

(a) All radii in the transition section must be a minimum of ten feet (10').

(b) All transition sections must be approved by the City Engineer.

8-M.4 In order to provide safe and adequate access on City sidewalks, all sidewalks shall meet minimum clear width requirements around all obstructions, natural or manmade, as described herein. Clear width shall mean the distance as measured from the outside edge of the obstruction to the outside edge of the sidewalk or from the inside edge of the obstruction to the inside edge of the sidewalk. If the clear width is to be obtained between the inside edge of the sidewalk and the obstruction, given that the sidewalk is placed against the back of curb, the clear width shall be a minimum of six feet (6'). In all other cases, the minimum clear width shall be four feet (4').

8-M.5 All sidewalks must be constructed concurrently with the thoroughfare or, if the thoroughfare is already constructed, prior to acceptance of any improvements.

8-M.6 Exceptions to or partial waiver of the requirements of 8-M.1. may be granted by the City Council upon recommendation of the Planning and Zoning Commission and when it has been determined that satisfactory alternative pedestrian ways or pedestrian/bikeways have been or will be provided outside the normal right-of-way; or that unique circumstances or unusual topographic, vegetative, or other natural conditions prevail to the extent that strict adherence to said requirements would be unreasonable and not consistent with the purposes and goals of this chapter or the comprehensive development plan.

## 8-N Bikeways

### 8-N.1 General

Bikeways will be required in accordance with the Bikeway Master Plan. Bikeway facilities are planned and located to integrate with the existing City street and park system. The facilities are strategically located so as to minimize their numbers and to provide bikeways to certain areas or neighborhoods within the City.

### 8-N.2 Types of Bikeways

There are three (3) types of bikeway facilities that shall be utilized. These are as follows:

(1) Bike Path, a facility completely separated from auto traffic and within an independent right-of-way or within the right-of-way of another facility;

**(Ordinance No. 1971 of August 27, 1992)**

(2) Bike Lane, a facility where part of the roadway or shoulder is striped, signed, and marked for exclusive or preferential bicycle use and where vehicle parking is not permitted, unless otherwise specified; and

(Ordinance No. 2320 of April 9, 1998)

(3) Bike Route, a facility designated by signing to help make motorists aware of the presence of bicycles which share the right-of-way with motor vehicles.

#### 8-N.3 Bikeway Location Criteria

Bikeways shall be located to integrate with the existing City street and park system. Important criteria used in determining bikeway facility types and locations are:

- (1) Safety. Existing street width.
- (2) Existing and potential demand for use.
- (3) Continuity and directness.
- (4) Spacing. Relationship to other bikeway facilities.
- (5) Location of schools and other public facilities frequented by bicycle riders.
- (6) Location of linear parks and greenbelts.

(Ordinance No. 1971 of August 27, 1992)

#### 8-N.4 Geometric Design Criteria

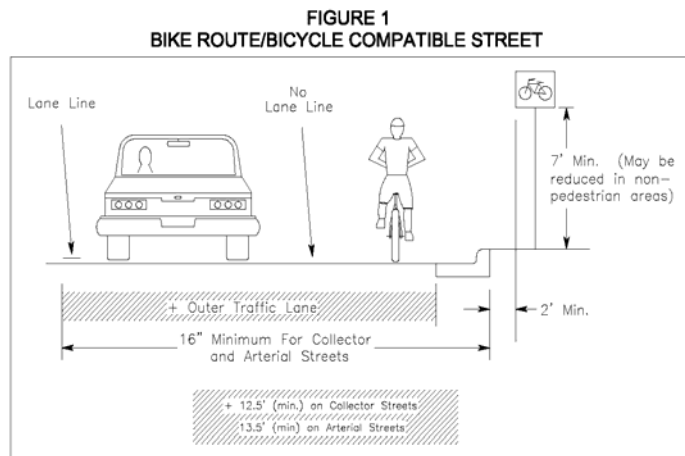
All facilities shall be designed to meet or exceed standards set forth in the "Guide for Development of Bicycle Facilities" published by the American Association of State Highway and Transportation Officials (AASHTO). Signing and pavement markings for such facilities shall be in accordance with the Manual on Uniform Traffic Control Devices (MUTCD). Geometric design criteria for each type of bikeway facility are as follows:

##### (1) Bike Routes

The placement of bike route signing identifies bicycle compatible streets that will serve as bike routes. Bike route identification and directional signs shall be located and installed as indicated on the Bikeway Master Plan.

Bike Routes provide an important function in that they provide for continuity in the overall bikeway system. Typically most bike routes will occur on local and collector streets as they are often most compatible for bicycle use without additional pavement. A minimum of 16 feet outer lane for collector arterial streets measured from the outer lane line to the back of curb shall be required for bike routes. A typical bicycle compatible street is shown in Figure 1.

Bike route signing should not end at a barrier. Information directing the bicyclist around the barrier should be provided.



The roadway width, along with factors such as the volume, speed, and type of traffic; parking conditions; grade; and sight distance should be considered when determining the feasibility of a bike route. Roadway improvements, such as safe drainage grates, railroad crossings, smooth pavements, maintenance schedules, and signals responsive to bicycles, should always be considered before a roadway is identified as a bike route.

**(Ordinance No. 2269 of October 9, 1997)**

(2) Bike Lanes

The bike lane is located within the vehicular roadway in the outside lane and is intended for the exclusive use of bicycles. Bike lanes in the City of College Station must be developed as one-way facilities and carry traffic in the same direction as adjacent motor vehicle traffic. Two-way bike lanes are not permitted because:

- (i) They require unconventional turns at intersections.
- (ii) They are conducive for bicyclists having to go the "wrong way" and to weave across traffic to bike in the proper lane.
- (iii) They require that bicyclists travel in a direction opposite the adjacent auto lane.

Typical bike lane design and layout is illustrated in Figure 2. A one-way bike lane against the curb requires a minimum of 5 feet measured from the edge of pavement, not including the gutter. The bike lane shall be delineated by a continuous painted stripe. The diamond preferential lane symbol (as designated in MUTCD) shall be located immediately after each intersection to inform motorists turning of the restricted nature of the lane.

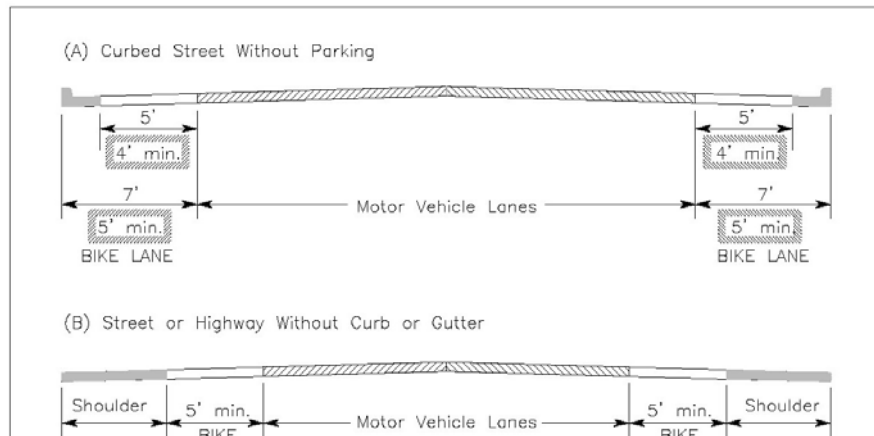
At intersections, bicyclists proceeding straight and motorists turning right must cross paths. Striping and signing configurations which encourage these crossings in advance of the intersection, in a merging fashion, shall be preferred to those that force the crossing in the immediate vicinity of the intersection. Typical treatment of bike lanes at intersections is illustrated in Figures 3 and 4.

Adequate pavement surface, bicycles safe grate inlets, safe railroad crossings, and traffic signals responsive to the bicyclist shall be provided on roadways where bike lanes are designated. Raised pavement markings and raised barriers can cause steering difficulties for bicyclists and should not be used to delineate bike lanes.

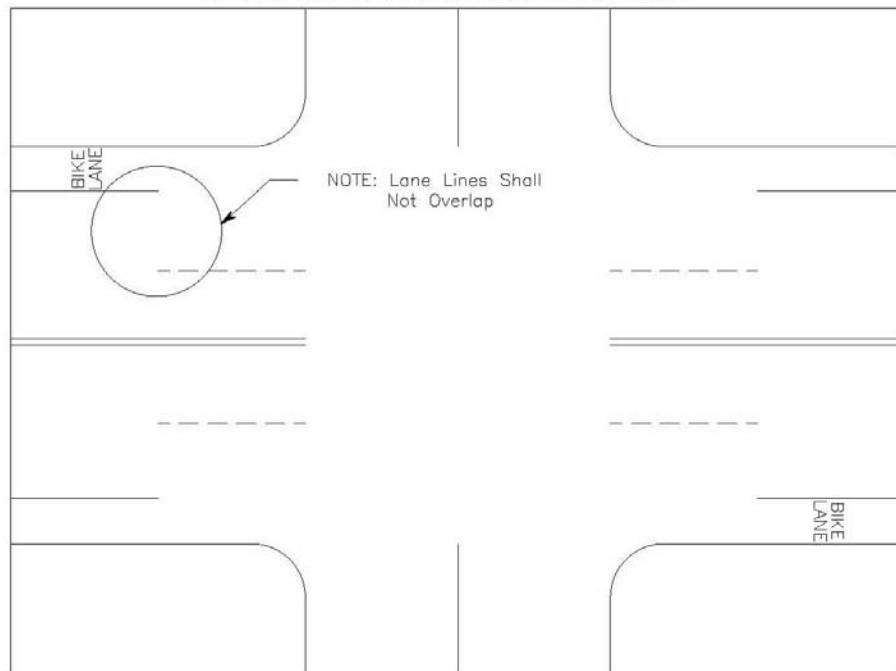
In general, parking in bike lanes is prohibited. However, parking may be permitted in a bike lane in specific areas during specified times. Where parking in a bike lane is permitted, signs shall be installed to provide notice to bicyclists of when parking is allowed. Parking in a bike lane shall be limited primarily to spillover parking for public uses or events, but parking for non-public uses may also be considered.

**(Ordinance No. 2320 of April 9, 1998)**

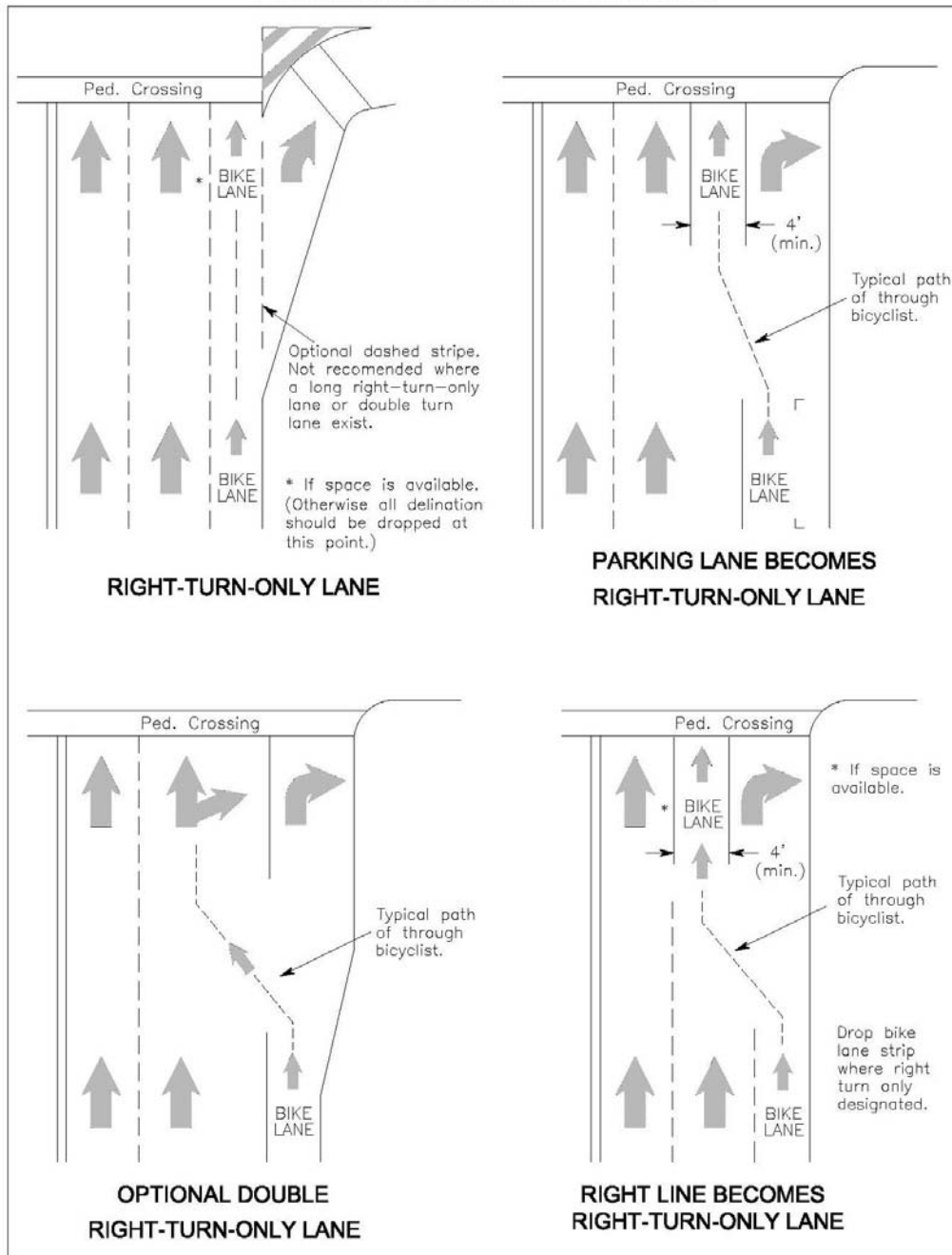
**FIGURE 2**  
**TYPICAL BICYCLE LANE CROSS SECTIONS**



**FIGURE 3**  
**TYPICAL BICYCLE LANE CROSS SECTIONS**



**FIGURE 4  
TYPICAL BICYCLE LANE CROSS SECTIONS**





### (3) Bike Paths

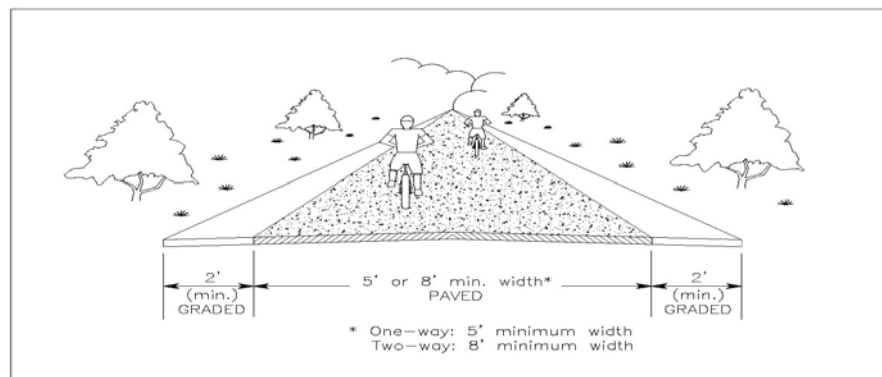
Bike paths are facilities used exclusively for bike traffic with minimal cross flow by motor vehicles. They should be located primarily in greenbelt areas or park-type areas. If a bike path is to be located in the right-of-way of an adjacent roadway there should be a minimum of five feet (5') separating the bike path from the roadway.

The paved width and the operating width required for a bicycle path are primary design considerations. Figure 5 depicts a bicycle path on a separated right-of-way. Under most conditions, a recommended all-paved width for a two-directional bicycle path is ten feet (10'). In some instances, however, a minimum of eight feet (8') can be adequate. This minimum should be used only where the following conditions prevail: (1) bicycle traffic is expected to be low, even on peak days or during peak hours (2) pedestrian use of the facility is not expected to be more than occasional, (3) there will be good horizontal and vertical alignment providing safe and frequent passing opportunities, (4) the path will not be subjected to maintenance vehicle loading conditions that would cause pavement edge damage. Under certain conditions it may be necessary or desirable to increase the width of a bicycle path to twelve feet (12'); for example, because of substantial bicycle volume, probable shared use with joggers and other pedestrians, use by large maintenance vehicles, steep grades and where bicyclists will be likely to ride two abreast.

The minimum width of a one-directional bicycle path is five feet (5'). It should be recognized, however, that one-way bicycle paths often will be used as two-way facilities unless effective measures are taken to assure one-way operation. Without such enforcement, it should be assumed that bicycle paths will be used as two-way facilities and designed accordingly.

A minimum of two-foot width graded area should be maintained adjacent to both sides of the pavement; however, three feet (3') or more is desirable to provide clearance from trees, poles, walls, fences, guard rails, or other lateral obstructions. A wider graded area on either side of the bicycle path can serve as a separate jogging path.

**FIGURE 5  
BICYCLE PATH**



The vertical clearance to obstructions should be a minimum of eight feet (8').

However, vertical clearance may need to be greater to permit passage of maintenance vehicles and, in under crossings and tunnels, a clearance of ten feet (10') is desirable.

**(Ordinance No. 1971 of August 27, 1992)**

**8-O**     **Water Supply**

All subdivisions shall be provided with water supply and distribution systems for fire protection and domestic use.

All water mains, distribution and service lines shall be constructed as provided by the *Bryan/College Station Unified Design Guidelines and the Bryan/College Station Unified Technical Specifications* and all applicable state and federal requirements. Where there is a conflict of standards, the more stringent standard as determined by the City Manager, or his designee, shall apply. The City shall accept for public use only water mains, distribution and service lines that comply with these standards for construction."

**(Ordinance No. 2740 of August 9, 2004)**

**8-P**     **Sanitary Sewers**

**8-P.1** All subdivisions shall be provided with an approved sanitary sewerage system meeting the standards of the City Engineering department. Curved sewers of not less than one hundred foot (100') radius are accepted, as are manholes of not over five hundred foot (500') spacing.

**Oversize participation, at the City's request, will be granted pursuant to Section 9 herein.**

**(Ordinance No. 2563 of June 13, 2002)**

**8-P.2** If the sewerage system includes treatment facilities, the plan must be approved by the Texas State Department of Health, and subdivider must have a permit for the discharge of effluent from the Texas Water Quality Board, before the approval by the commission.

**(Ordinance No. 1971 of August 27, 1992)**

**8-P.3** On-site waste water disposal systems, including private septic systems, may be used in areas where topography, density of development and/or other factors make sewer collection facilities impractical. Such systems, when allowed, must meet the requirements of Brazos County.

**(Ordinance No. 2131 of June 21, 1995)**

**8-Q Drainage**

Drainage shall be provided to handle runoff as calculated, street inlets for a five (5) year rain, storm sewers for a five (5) year rain, and bridges for a twenty-five (25) year rain, all as approved by the City Engineer. Water shall not be carried on the street for a distance greater than a five (5) year rain will overflow the curb. Drainage shall be handled in natural stream channels insofar as practical. No construction shall impede, constrict, or block the flow of water in any natural or improved watercourse.

**8-R Utility Lines**

All utility lines that pass under streets or alleys shall be installed before the street or alley is paved, with embedment, backfill, and depths as approved by the City Engineer, or the crossing shall be bored.

**8-S Gas or Oil Lines**

High pressure flammable gas or fuel lines are defined as those which are operated or may be expected in the future to operate at a pressure of over sixty (60) pounds per square inch. High pressure flammable gas or fuel lines, installed on public property, shall be buried with a minimum cover of thirty inches (30"), and shall be marked by an all-weather typed sign, installed at each crossing and at intervals of not more than three hundred feet (300'). The signs shall be installed by the utility company, state that the line is high pressure, and shall name the product or products transported therein.

**(Ordinance No. 1971 of August 27, 1992)**

**8-T Street Lights**

**8-T.1 Basic Policy**

It shall be the policy of the City of College Station that adequate street lighting for the protection of the public and property be installed in all new subdivisions. Installation procedures and acceptable standards for street lights shall be governed by the utility standards of the Public Utilities Department in effect at the time of subdivision construction or addition thereto.

**8-T.2 General Standards**

- (1) The actual number of street lights to be required, as well as the type and size of luminaire, and the installation, location and size of street light services, shall be determined by the Electrical Engineer for the City's Public Utilities Department. Pole type for mounting of street lights shall be selected by the Developer, subject to the approved street light pole standards of the Public Utilities Department.
- (2) Street lights shall normally be required at all street intersections and access ways, in cul-de-sacs, and at generally three hundred feet (300') intervals or less on tangent streets.
- (3) The developer shall furnish satisfactory easements for the installation of services to street lights, with said easements to normally be five feet (5') in width.
- (4) The installation of subdivision lighting shall be performed by either of the following:
  - (a) By City, subject to cost reimbursement as provided in Section 9-G herein.
  - (b) By the developer or his authorized construction representative, subject to compliance with the utility street light installation standards of the Public Utilities Department.

**(Ordinance No. 1985 of November 12, 1992)**

## 8-U Electric Service Installation

- 8-U.1. All electric utility service shall be installed underground in residential, multi-family residential, commercial and industrial subdivisions. All lateral electric lines and service lines supplying electric utility service shall be placed underground.
- 8-U.2. Overhead feeder lines may be placed within the above-listed subdivisions in the following locations:
- 8-U.2.a. Along the perimeter of the platted subdivision.
  - 8-U.2.b. Adjacent to or within the right-of-way of thoroughfares identified on the current thoroughfare plan of the City of College Station and approved for the location of overhead utilities.
  - 8-U.2.c. Within alleys or dedicated easements identified for the location of aerial utility service on the approved subdivision plat.
- 8-U.3. The Subdivider shall dedicate easements upon forms approved by City for the installation of utilities, including electric. All liens and other ownership interests shall be subordinated to the easement use.
- 8-U.4. Where the electric service is placed underground, all street lighting and site lighting equipment shall be placed underground except for the poles on which the lights are to be affixed.
- 8-U.5. The Subdivider shall be responsible for furnishing and installing, and the expenses related thereto, of conduit for the installation of all on-site underground development feeder, lateral and service lines utilized to provide electric utility service to the subdivision. The specifications for the conduit shall be approved by the Electrical Department prior to installation.
- 8-U.6. Where electric service is placed underground, all auxiliary equipment for such service, including but not limited to transformers, junction enclosures and switching devices, shall be pad-mounted on grade or shall be placed underground.
- 8-U.7. Temporary utility service may be provided via overhead line extension.

(Ordinance No. 2020 of July 8, 1993)

## 8-V Monuments and Corner Markers

- 8-V.1 All block corners, angle points and points of curves, and all corners of boundary lines of subdivisions shall be marked with a one-half inch (1/2") steel rod, two feet (2') in length, set in the center of a concrete monument six inches (6") in diameter and thirty inches (30") deep, with the top flush with the finished ground surface.
- 8-V.2 Where, due to topographic conditions, permanent structures or other conditions, the view is obstructed between any two (2) adjacent monuments, intermediate monuments shall be set as to assure a clear view between adjacent monuments.
- 8-V.3 Corner markers, consisting of a one-half inch (1/2") steel rod or three-fourths inch (3/4") pipe, two feet (2') in length, shall be driven flush with the ground surface to mark the corners of all lots.

(Ordinance No. 1971 of August 27, 1992)

## 8-W Gating of Roadways

PURPOSE: To achieve orderly development of a secured (GATED) community. To protect and promote the health, safety, and general welfare of the City.

DEFINITION: Gated Community: A residential area requiring mandatory membership in a Homeowners Association (HOA) and having its primary means of access controlled by an electric or manual gate administered by the HOA.

8-W.1 General Requirements

- (a) Gating of a public roadway is prohibited.
- (b) Driveways are considered roadways for the purpose of these gating requirements.
- (c) The gate shall not block area-wide through routes or block access for roadways to serve future development.
- (d) Access shall be provided at all times for police, fire, city inspection, mail delivery, garbage pickup, dial-a-rides, utility, school buses, and other health and safety related vehicles. Access must not require drivers to exit their vehicle.
- (e) A private street subdivision will not cross an existing or proposed thoroughfare as shown on the City's most recent Thoroughfare Plan. A private street subdivision will not disrupt or cross an existing or proposed City of College Station public pedestrian pathway, hike and bike trail or park as shown on the City's most recent Parks and Open Space Plan.
- (f) The gate design and implementation shall be such that it does not pose a threat to public health, safety and welfare.
- (g) The infrastructure main lines (electrical, water, and sewer) shall be maintained by the City of College Station.

8-W.2 Homeowners Association (HOA)

- (a) A Homeowners Association shall be established with direct responsibility to, and controlled by, the property owners involved to provide for operation, repair and maintenance of all common areas, fences, walls, gate equipment, landscaping, and all other common facilities, including private streets and sidewalks, which are part of the subdivision (the "Common Facilities").
- (b) All property owners within an existing residential area that is proposed to be gated shall agree to become members of an operative Homeowners Association (HOA).
- (c) The HOA shall prepare and file for record a legal instrument establishing a plan for the use and permanent repair and maintenance of the Common Facilities and demonstrating that the association is self-perpetuating and adequately funded to accomplish its purpose.
- (d) The budget for the HOA shall include a fund reserved for the repair and maintenance of Common Facilities in the amount approved by the city staff.
- (e) The legal instrument establishing the Homeowners Association, street maintenance agreement, the approval of the reserve fund by the City Engineer or Director of Public Works, and written permission for the City's access to the subdivision will be submitted for approval by the City Attorney prior to the submission of the final plat.
- (f) The City will be given written permission for practical access at any time without liability when on official business. The City will also be given written permission to remove obstructions including any gate and guard (house) upon non-compliance by the HOA of any terms of this ordinance or if necessary for the emergency vehicle access. In the event the City must remove obstructions to access the development, the HOA will be assessed all costs of removal.

- (g) In the event the City deems that repairs to private street(s) within a gated community are necessary in order to insure safe access and passage for emergency service vehicles, the City will notify the HOA and a public hearing will be set for input on the projected repairs. Should the HOA fail to provide the satisfactory repairs deemed necessary in a time frame set by the City at the public hearing, then the City will make the necessary repairs and assess the HOA all costs borne by the City in repair of the private street(s). Should the HOA fail to reimburse the City within 90 days, the HOA shall be subject to lien and possibly foreclosure of all assets including but not limited to the maintenance reserve fund address in Subsection 2(d) of this ordinance..

#### 8-W.3 Geometric Design Guidelines

- (a) All streets in the development shall be constructed in accordance with city standards.
- (b) The gate(s) location shall not be placed on a public right-of-way or easement.
- (c) All gate mechanical or manual operating functions shall meet fire department requirements and provide passage with unobstructed vertical clearance.
- (d) Gated entry way throat length designs taking access from residential, major and minor collector roadways shall meet the following requirements (Ref. Figures 1 & 2):
  - (1) A minimum of 20 feet for one residential single family lot.
  - (2) A minimum of 60 feet for up to twenty-five (25) single family lots.
  - (3). A minimum of 100 feet for twenty-six (26) single family lots or greater
- (e) The gated entry way lengths taking access from major and minor arterials shall be determined and approved on a case by case basis by the City Planning Department.
- (f) Gated entry ways shall provide adequate access for pedestrians and bicycles.
- (g) Gated entry ways to subdivisions shall provide adequate turnaround areas for vehicles that are denied access in order to prevent backing into a public street. (Ref. Figures 1 & 2)

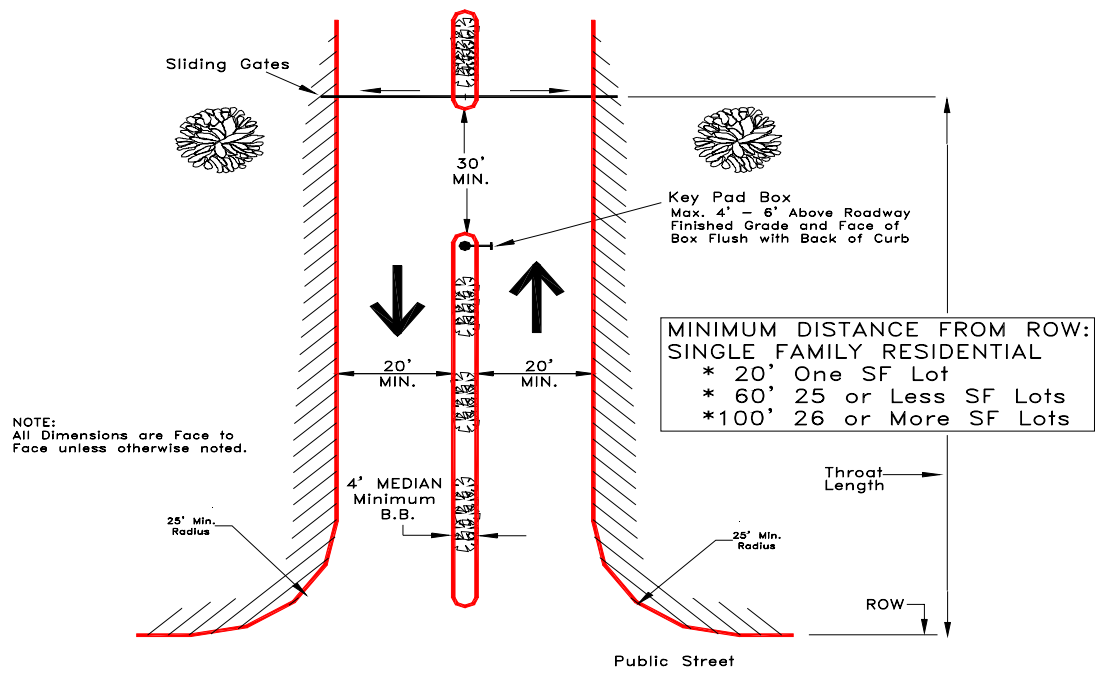
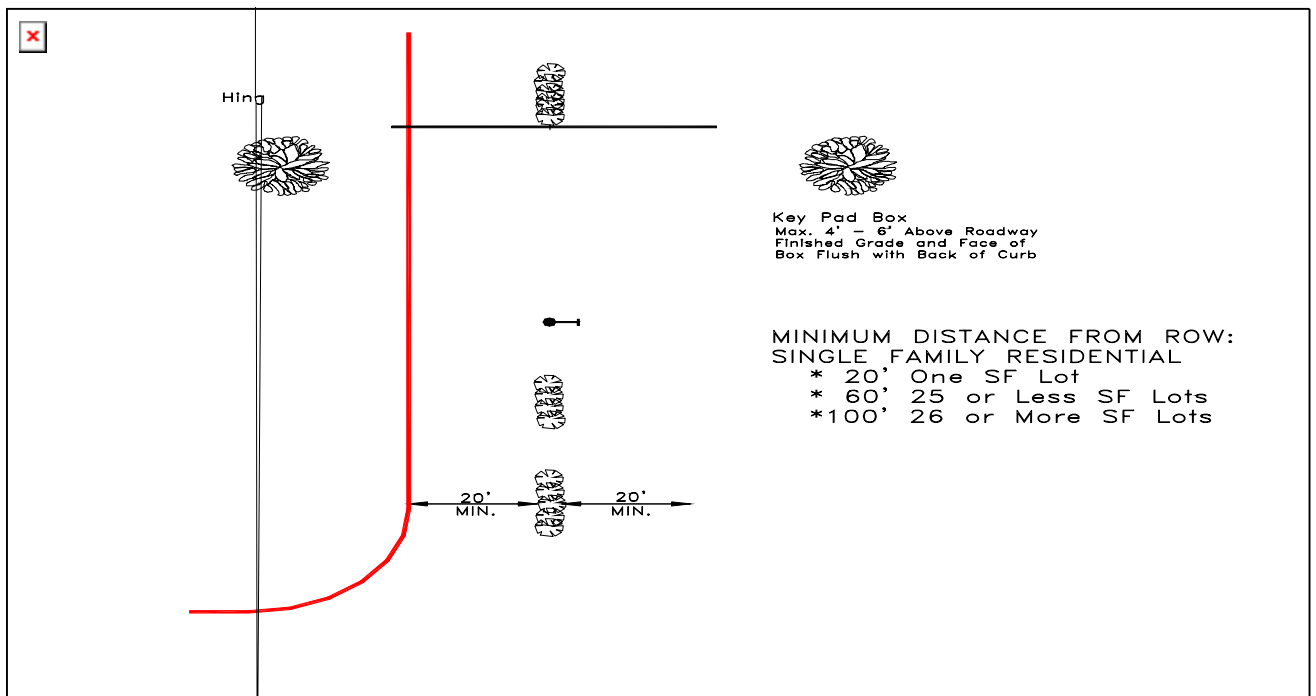


FIGURE 1



- (h) The gated entry way driveway pavement widths to subdivisions, for both egress and ingress, shall be a minimum of 20 feet per driveway and are required to provide a minimum 4 feet center median. (Ref. Figures 1 & 2)
- (i) The gated area shall provide a minimum unobstructed vertical clearance of 14 feet 6 inches from finished roadway surface over the entire width of the entry roadway.
- (j) Public safety elements and signing shall be included in the gate entry way design.

#### 8-W.4 Converting Private Streets to Public Streets

- (a) Upon a written request signed by HOA officers and submitted to the City Council of the City of College Station, dedication of private streets to the public may be accomplished providing the private streets are brought up to the standards for the public streets in the city and the City Council has agreed to accept the streets.
- (b) The written request by the HOA officers will be accompanied by a petition containing the signatures of the owners of 100% of the existing lots in the subdivision, except when in the public interest.
- (c) All repairs or reconstruction of private streets must be accepted by the City prior to conversion. All conversion dedication costs will be paid by the HOA.

#### 8-W.5 Indemnity

The Association hereby unconstitutionally and irrevocably agrees to indemnify, defend and hold the city and the city's officials, agents, employees and contractors harmless, from and against any loss, liability, demand damage, judgment, suite, claim deficiency, interests, fee, charge, cost or expense (including, without limitation, interest, court cost and penalties, attorney's fees and disbursement and amounts paid in settlement, or liabilities resulting from any charge in federal, state or local law or regulation or interpretation hereof) of whatever nature, even when caused in whole or in part by the city's negligence or the joint or concurring negligence of the city and any other person or entity, which may result or to which the city and/or any of the city's officials, agents, employees and contractors may sustain, suffer, incur or become subject to in connection with or arising in any way whatsoever out of the maintenance, repair use or occupation of the common facilities, or any other activity of whatever nature in connection therewith, or arising out of or by reason of any investigation, litigation or other proceedings brought or threatened, arising out of or based upon the operation, management, maintenance, repair and use of the common facilities, or any other activity in the subdivision.

#### 8-W.6 Existing Gates

Any gate as defined by this ordinance existing at the time of adoption of this ordinance which has received an approval from either the City or the County is deemed exempt from the requirements of this ordinance.

**(Ordinance No. 2280 of November 13, 1997)**



## SECTION 9: RESPONSIBILITY FOR PAYMENT FOR INSTALLATION COSTS

**9-A**     Oversize Participation – subject to statutory restrictions (LGC Chapter 212, Subchapter C) and approval of the City Council, the City may make a contract with a developer of a subdivision to construct public infrastructure improvements and may participate in the cost of public infrastructure improvements. The City's participation may not exceed 30 percent of the total contract price. The City's cost may not exceed 100 percent of the total cost for any oversizing of improvements required by the municipality, including but not limited to increased capacity of improvements to anticipate other future development in the area. The City is liable only for the agreed payment of its share, which shall be determined in advance.

(Note: Subsections 9-B, 9-C, 9-D, and 9-E were deleted in their entirety on September 23, 2004, by Ordinance No. 2417.)

(Ordinance No. 2754 of September 23, 2004)

**9-F**     (Note: Subsections 9-F.1. and 9-F.2 were deleted in their entirety and Ordinances 2020 and 2188 were repealed on October 28, 1999, by Ordinance No. 2417.)

(Ordinance No. 2417 of October 28, 1999)

### **9-G**     Street Lights

The developer shall pay the entire cost of the subdivision street light installation, including the cost of service lines to supply electricity to the street lights, and all engineering design costs. Once satisfactorily installed, approved, and accepted, the maintenance of the street lights and the furnishing of electric energy to the street lights shall be provided by the City.

(Ordinance No. 1985 of November 12, 1992)

### **9-H**     Street Signs

The City will install street signs at no cost to the subdivider.

### **9-I**     Engineering

**9-I.1**     The City will charge for engineering inspection during construction and for final inspection as established by Council resolution from time to time; however, it is to be understood that the City will do no layout work or daily inspection.

(Ordinance No. 1816 of July 27, 1989)

**9-I.2**     The City may require compaction tests on embankments and flexible bases, and depth tests on flexible bases and payments, and pressure tests on piping systems, before final inspection and approval. Charges for such inspection shall be as established by Council resolution from time to time.

(Ordinance No. 2037 of October 28, 1993)

## SECTION 10: REQUIREMENTS FOR PARK LAND DEDICATION

### 10-A Purpose

This section is adopted to provide recreational areas in the form of neighborhood park facilities as a function of subdivision and site development in the City of College Station. This section is enacted in accordance with the home rule powers of the City of College Station, granted under the Texas Constitution, and the statutes of the State of Texas, including, but not by way of limitation, Texas Local Government Code Chapter 212 (Vernon 1999; Vernon Supp. 2004-2005) as amended from time to time.

It is hereby declared by the City Council that recreational areas in the form of neighborhood parks are necessary and in the public welfare, and that the only adequate procedure to provide for neighborhood parks is by integrating such a requirement into the procedure for planning and developing property or subdivisions in the city, whether such development consists of new construction on vacant land or rebuilding and remodeling of structures on existing residential property.

Neighborhood parks are those parks providing for a variety of outdoor recreational opportunities and located within convenient distances from a majority of the residences to be served thereby. The park zones established by the Parks and Recreation Department and shown on the official Parks and Recreation map for the City of College Station shall be prima facie proof that any park located therein is within such a convenient distance from any residence located therein. The primary cost of neighborhood parks should be borne by the ultimate residential property owners who, by reason of the proximity of their property to such parks, shall be the primary beneficiaries of such facilities.

Therefore, the following requirements are adopted to effect the purposes stated above and shall apply to any land to be used for residential purposes:

### 10-B General Requirements

The City Manager or his designee shall administer this Section 10, Requirements for Parkland Dedication with certain review, recommendation and approval authorities being assigned to the Planning and Zoning Commission and the Parks and Recreation Advisory Board as specified herein.

Dedications shall cover both land acquisition and development costs for neighborhood parkland for all types of residential development. Dedications shall be based on actual dwelling units for the entire development. Increases or decreases in final unit count prior to final plat will require an adjustment in fees paid or land dedicated. If the actual number of dwelling units exceeds the original estimate additional parkland shall be dedicated in accordance with the requirements in this Section 10 with the filing of a final plat.

The methodology used to calculate fees and land dedications is attached hereto as Appendix 1 and incorporated and made a part of this ordinance for all purposes.

Fees paid under this Section may be used only for development or acquisition of a neighborhood park located within the same Zone as the development.

#### 1. Land Dedication

For single family developments the area of land to be dedicated for parkland purposes shall be equal to one (1) acre for each one hundred one (101) dwelling units. For duplex and other multi-family development this area shall be equal to one (1) acre for each one hundred twenty-five (125) dwelling units.

The total amount of land dedicated for the development shall be dedicated in fee simple by plat:

- a. Prior to the issuance of any building permits for multi-family development,
- b. Concurrently with the final plat for a single phase development,

- c. For a phased development the entire park shall be either platted concurrently with the plat of the first phase of the development or
- d. The developer may provide the City with financial security against the future dedication by providing a bond, irrevocable letter of credit, or other alternative financial guarantee such as a cash deposit in the amount of the appraised value of the parkland. The amount of the financial guarantee is calculated by multiplying the number of acres of parkland required to be dedicated by the average value of an acre of land in the subdivision. The average value of an acre of land in the subdivision is calculated by dividing the fair market value of the land in the subdivision by the number of acres in the subdivision. To make this calculation, the subdivider may select one of the following fair market value determinations:
  - i. the current fair market value of the land as shown on the records of the tax appraisal district;
  - ii. the current fair market value of the land as determined by a qualified real estate appraiser at the subdivider's expense, if the director of the Parks and Recreation Department approves the appraiser and certifies that the appraisal fairly reflects the land value; or
  - iii. the current fair market value of the land as determined by a qualified real estate appraiser employed by the City.

The financial guarantee will be released to the developer, without interest, upon the filing of the final plat for the subsequent phase that dedicates the required park land.

## 2. Fee in Lieu of Land

The amount of the Fee-in-Lieu of Land ("Fee") shall be set at an amount sufficient to cover the costs of the acquisition of neighborhood parkland.

A landowner may elect to meet the requirements of Section 10.B.1, in whole or in part, by paying a fee in the amount set forth below. Before making this election, for any required dedication greater than three (3) acres, or for any development containing floodplain or greenway, the landowner must:

- a. Obtain a recommendation from the Parks and Recreation Advisory Board and
- b. Obtain approval from the Planning & Zoning Commission pursuant to the Plat Approval Procedures in Article 3.3 of the Unified Development Ordinance.

The fee shall be calculated as follows:

- One hundred Ninety-eight Dollars (\$198.00) per dwelling unit for single family development
- One hundred Sixty Dollars (\$160.00) per dwelling unit for duplex and multi-family development.

The total amount of the Fee calculated for the development shall be remitted:

- Prior to the issuance of any building permits for multi-family development or,
- Upon submission of each final plat for single family, duplex or townhouse development.

Fees may be used only for acquisition or development of a neighborhood park facility located within the same Zone as the development.

The City Manager or his designee is authorized to accept the Fee for dedications of less than three (3) acres where:

- There is a sufficient amount of parkland existing in the park zone of the proposed development; or
- The proposed dedication is insufficient for a Neighborhood Park site under existing park design standards.

This determination shall be made based on the Recreation, Park & Open Space Master Plan, as amended from time to time.

### 3. Park Development Fee

In addition to the land dedication, there shall also be a fee established that is sufficient to develop the land to meet the Manual of Neighborhood Park Improvements Standards to serve the zone in which such development is located. This fee shall be computed on the basis of Three Hundred Fifty-eight Dollars (\$358.00) per dwelling unit for single family developments and Two Hundred Ninety-two Dollars (\$292.00) for duplex and multi-family development. The total fee shall be paid upon submission of each final plat or upon application for a building permit, whichever is applicable.

### 4. Park Development Option in Lieu of Fee

A landowner may elect to construct the neighborhood park improvements in lieu of paying the Park Development Fee under the following terms and conditions:

- A park site plan, developed in cooperation with the Parks and Recreation Department staff, must be submitted to the City Manager or his designee for review. A site plan approved by the Director of Parks and Recreation and Parks and Recreation Advisory Board is required upon submission of each final plat or upon application for a building permit, whichever is applicable.
- Within twelve (12) months from the date of said submission or application the landowner shall submit detailed plans and specifications in compliance with the site plan to the City Manager or his designee for review and approval.
- All plans and specifications shall meet or exceed the Manual of Neighborhood Park Improvement Standards in effect at the time of the submission.
- If the improvements are constructed on land that has already been dedicated to and/or is owned by the City, then the Developer must post Payment and Performance Bonds to guarantee the payment to subcontractors and suppliers and to guarantee Developer completes the work in accordance with the approved plans, specifications, ordinances, other applicable laws and that City has issued a Certificate of Completion for the improvements.
- The construction of all improvements must be completed within two (2) years from the date of the approval of the plans and specifications. A final, one-time extension of twelve (12) months may be granted by the Administrator upon demonstration that said improvements are at least fifty percent (50%) constructed.
- Completion and Acceptance – Park development will be considered complete and a Certificate of Completion will be issued after the following requirements are met:
  - Improvements have been constructed in accordance with the Approved Plans.
  - All parkland upon which the improvements have been constructed has been dedicated as required under this ordinance.
  - All manufacturer's warranties have been provided for any equipment.

- g. Upon issuance of a Certificate of Completion, Landowner warrants the improvements for a period of one (1) year as per the requirements in the Manual of Neighborhood Park Improvements Standards.
  - h. The developer shall be liable for any costs required to complete park development if:
    - i. Developer fails to complete the improvements in accordance with the Approved Plans.
    - ii. Developer fails to complete any warranty work.
5. Reimbursement for City Acquired Parkland

The City may from time to time acquire land for parks in or near an area of actual or potential development. If the City does acquire park land in a park zone, the City may require subsequent parkland dedications for that zone to be in Fee-in Lieu-of-Land only. This will be to reimburse the City for the cost(s) of acquisition. Once the City has been reimbursed entirely for all such parkland within a park zone, this Section shall cease to apply.

#### 10-C Prior Dedication or Absence of Prior Dedication

If a dedication requirement arose prior to enactment of this Section 10, that dedication requirement shall be controlled by the ordinance in effect at the time such obligation arose, except that additional dedication shall be required if the actual density of structures constructed upon property is greater than the former assumed density. Additional dedication shall be required only for the increase in density and shall be based upon the ratio set forth in Section 10.B. (Credit shall be given for land dedicated or fees paid pursuant to prior parkland Ordinance Nos. 690, 983 or 2546.)

#### 10-D Comprehensive Plan Considerations

The Recreation, Park and Open Space Master Plan is intended to provide the College Station Parks and Recreation Advisory Board with a guide upon which to base its recommendations. Because of the need to consider specific characteristics in the site selection process, the park locations indicated on the Plan are general. The actual locations, sizes, and number of parks will be determined when development occurs. The Plan will also be used to locate desirable park sites before development occurs, and those sites may be acquired by the City or received as donations.

Park Zones are established by the City's Comprehensive Plan, in the Park and Open Space element and are configured to indicate service areas for neighborhood parks. Zone boundaries are established that follow key topographic features such as major thoroughfares, streams, and city limit lines.

#### 10-E Special Fund; Right to Refund

- 1. All parkland fees will be deposited in a fund referenced to the park zone involved. Funds deposited into a particular park zone fund may only be expended for land or improvements in that zone.
- 2. The City shall account for all fees-in-lieu-of land paid under this Section with reference to the individual plat(s) involved. Any fees paid for such purposes must be expended by the City within five (5) years from the date received by the City for acquisition and/or development of a neighborhood park as defined herein. Such funds shall be considered to be spent on a first-in, first-out basis. If not so expended, the landowners of the property on the expiration of such period shall be entitled to a prorated refund of such sum, computed on a square footage of area basis. The owners of such property must request such refund within one (1) year of entitlement, in writing, or such right shall be barred.

#### 10-F Parkland Guidelines and Requirements

Parks should be easy to access and open to public view so as to benefit area development, enhance the visual character of the city, protect public safety and minimize conflict with adjacent land uses. The following guidelines and requirements shall be used in designing parks and adjacent development.

1. Any land dedicated to the city under this section must be suitable for park and recreation uses. The dedication shall be free and clear of any and all liens and encumbrances that interfere with its use for park purposes. The City Manager or his designee shall determine whether any encumbrances interfere with park use. Minerals may be reserved from the conveyance provided that there is a complete waiver of the surface use by all mineral owners and lessees. A current title report must be provided with the land dedication. The property owner shall pay all taxes or assessments owed on the property up to the date of acceptance of the dedication by the City. A tax certificate from the Brazos County Tax Assessor shall be submitted with the dedication or plat.
2. Consideration will be given to land that is in the floodplain or may be considered "floodable" even though not in a federally regulated floodplain as long as, due to its elevation, it is suitable for park improvements. Sites should not be severely sloping or have unusual topography which would render the land unusable for organized recreational activities.
3. Land in floodplains or designated greenways will be considered on a two for one basis. Two acres of floodplain or greenway will be equal to one acre of parkland
4. Where feasible, park sites should be located adjacent to greenways and/or schools in order to encourage both shared facilities and the potential co-development of new sites.
5. Neighborhood park sites should be adjacent to residential areas in a manner that serves the greatest number of users and should be located so that users are not required to cross arterial roadways to access them.
6. Sites should have existing trees or other scenic elements.
7. Detention / retention areas will not be accepted as part of the required dedication, but may be accepted in addition to the required dedication. If accepted as part of the park, the detention / retention area design must be approved by the City Manager or his designee and must meet specific parks specifications in the Manual of Neighborhood Park Improvements Standards.
8. Where park sites are adjacent to Greenways, Schools existing or proposed subdivisions, access ways may be required to facilitate public access to provide public access to parks.
9. It is desirable that fifty percent (50%) of the perimeter of a park should abut a public street.

#### 10-G Consideration and Approval

Any proposal considered by the Planning and Zoning Commission under this Section shall have been reviewed by the Parks and Recreation Advisory Board or the City Manager or his designee as provided herein, and a recommendation given to the Commission. The Commission may make a decision contrary to the recommendation by a majority vote.

#### 10-H Review of Land Dedication Requirements and Dedication and Development Fee

The City shall review the Fees established and amount of land dedication required at least once every three (3) years. The City shall take into account inflation as it affects land acquisition and park development costs as well as the City's targeted level of service for parkland per one thousand population. Fees are authorized to be set by resolution of the City Council.

## 10-I     Warranty Required

All materials and equipment provided to the City shall be new unless otherwise approved in advance by the City Manager or his designee and that all work will be of good quality, free from faults and defects, and in conformance with the designs, plans, specifications, and drawings, and recognized industry standards. This warranty, any other warranties express or implied, and any other consumer rights, shall inure to the benefit of the City only and are not made for the benefit of any party other than the City.

All work not conforming to these requirements, including but not limited to unapproved substitutions, may be considered defective.

This warranty is in addition to any rights or warranties expressed or implied by law.

Where more than a one (1) year warranty is specified in the applicable plans, specifications, or submittals for individual products, work, or materials, the longer warranty shall govern.

This warranty obligation shall be covered by any performance or payment bonds tendered in compliance with this Ordinance.

**Defective Work Discovered During Warranty Period.** If any of the work is found or determined to be either defective, including obvious defects, or otherwise not in accordance with this ordinance, the designs, plans, drawings or specifications within one (1) year after the date of the issuance of a certificate of Final Completion of the work or a designated portion thereof, whichever is longer, or within one (1) year after acceptance by the City of designated equipment, or within such longer period of time as may be prescribed by law or by the terms of any applicable special warranty required by this ordinance, Developer shall promptly correct the defective work at no cost to the City.

During the applicable warranty period and after receipt of written notice from the City to begin corrective work, Developer shall promptly begin the corrective work. The obligation to correct any defective work shall be enforceable under this code of ordinances. The guarantee to correct the defective work shall not constitute the exclusive remedy of the City, nor shall other remedies be limited to the terms of either the warranty or the guarantee.

If within twenty (20) calendar days after the City has notified Developer of a defect, failure, or abnormality in the work, Developer has not started to make the necessary corrections or adjustments, the City is hereby authorized to make the corrections or adjustments, or to order the work to be done by a third party. The cost of the work shall be paid by Developer.

The cost of all materials, parts, labor, transportation, supervision, special instruments, and supplies required for the replacement or repair of parts and for correction of defects shall be paid by Developer, its contractors, or subcontractors or by the surety.

The guarantee shall be extended to cover all repairs and replacements furnished, and the term of the guarantee for each repair or replacement shall be one (1) year after the installation or completion. The one (1) year warranty shall cover all work, equipment, and materials that are part of the improvements made under this section of the ordinance.

**(Ordinance No. 2859 of December 15, 2005)**

**APPENDIX 1  
PARK LAND DEDICATION FEE  
METHODOLOGY**

**I. Current Level of Service**

7 Acres Neighborhood & Community Park Land per 1,000 Population  
3.5 Acres per 1,000 (Neighborhood Parks)  
3.5 Acres per 1,000 (Community Parks)

**II. Land Requirements**

Neighborhood Parks  
3.5 Acres/1,000  
1 Acre per 285 people

2000 CENSUS Figures - Total Population - 67,890  
2.80 Persons per Household (PPH) for Single Family and 2.28 Persons per Household for Multi-Family based on census information for owner and renter occupied units. The overall average from the Census is 2.52 persons per household (dwelling unit).

***SINGLE FAMILY***

285 people / 2.80 PPH = 101 DUs  
1 Acre per 101 DUs

***MULTI-FAMILY***

285 people / 2.28 PPH = 125 DUs  
1 Acre per 125 DUs

**III. Neighborhood Park Acquisition Costs (Determines Fee in Lieu of Land)**

*(Assumption) 1 acre costs \$ 20,000 to purchase*

***SINGLE FAMILY***

\$20,000 / 101 DUs = \$198 per DU

***MULTI-FAMILY***

\$20,000 / 125 DUs = \$160 per DU

**IV. Neighborhood Park Development Costs (Determines Fee for Development)**

- Cost of Average Neighborhood Park in College Station is \$300,000.
- One Neighborhood parks serves 2,341 people based on a Census population of 67,890 being served by 29 parks (count includes neighborhood parks and 6 mini parks).
- It costs \$128 per person to develop an average intergenerational neighborhood park.

**Single Family**

\$128.00 X 2.80 PPH = \$358 per DU

**Multi-Family**

\$128.00 X 2.28 PPH = \$292 per DU

**V. Total Fee**

**Single Family**

\$198 + \$358 = **\$556**

**Multi-Family**

\$160 + \$292 = **\$452**

(Ordinance No. 2546 of January 24, 2002)



## SECTION 11: PLANNED UNIT DEVELOPMENT

- 11-A. Standards and requirements of this chapter may, subject to approval of the City Council, be modified by the Commission in order encourage a complete and unique residential, business, or industrial development, with full consideration for public health, safety, and welfare.
- 11-B. A planned unit development may, under unusual circumstances, require no subdivision of land; however, generally if division into lots, drainage easement, utility easement, streets, parks, or other public lands are to be provided, or are required by the City, the requirements of this chapter for submission of a preliminary plat and a final plat shall be complied with.
- 11-C. A planned unit development requires a change in zone, as provided in the Zoning Ordinance, Chapter 12, Section 2 of this Code.

## SECTION 12: RURAL RESIDENTIAL SUBDIVISION REGULATIONS

### 12-A. General

The requirements outlined herein are intended to allow the development of rural residential subdivisions within the corporate boundary of the City of College Station, Texas. It is the intent of this section that these regulations be used to create a rural type atmosphere for development in areas where the Council through zoning deems it appropriate (See 12-F, Zoning). It is not the intent of this section to sacrifice the integrity of the City of College Station's current or future infrastructure systems.

### 12-B. Applicable Sections

Sections 1-7, 9 and 10 are applicable in their entirety to rural residential subdivisions.

### 12-C. Community Assets

In all subdivisions, attention shall be given to all natural features such as trees, watercourses, historical sites, and similar community assets, which, when preserved, will add attractiveness and value to the property.

### 12-D. Suitability of Lands

The Commission shall not approve the subdivision of land, if from adequate investigations conducted by staff, it has been determined that in the best interest of the public, the site is not suitable for platting and development purposes of the kind proposed. Land located within FEMA designated floodway and land deemed to be topographically unsuitable shall not be platted for residential occupancy, nor for such other uses as may increase danger to health, life, or property, or aggravate erosion or flood hazard. Development of the flood fringe shall be controlled and designed in accordance with the City of College Station Drainage Ordinance. Such land within the plat shall be set aside for uses that shall not be endangered by periodic or occasional inundation or shall not produce unsatisfactory living conditions.

### 12-E. Large Tracts or Parcels

When land is subdivided into larger parcels rather than ordinary lots, as defined in the Zoning Ordinance, such parcels shall be arranged so as to allow for the opening of future streets and logical further subdivisions. If the City's Comprehensive Plan requires principal streets to cross the interior of the subdivision or lie anywhere within the subdivision, the right-of-way shall be dedicated to the public.

### 12-F. Zoning

No plat of land within the force and effect of an existing zoning ordinance shall be approved unless it conforms to such zoning or other pertinent regulations. A rural residential subdivision can only develop in a specific zone, as provided in the Zoning Ordinance, Chapter 12, Section 7. These rural residential regulations may only be applied in areas where the zone designation is A-OR.

### 12-G. Reserved Strips Prohibited

There shall be no reserved strips controlling access to land dedicated or intended to be dedicated to the public.

### 12-H. Standards

All construction on streets or easements shall be designed and constructed in accordance with City Engineering standards and specifications.

## 12-I. Streets

### 12-I.1 Goal

The goal of this section is to provide each lot in a rural residential subdivision with access to a durable and maintainable public/private street with adequate capacity, while retaining rural aesthetics and cost effectiveness, and without compromise to the City of College Station Thoroughfare and Transportation Improvement Plan.

### 12-I.2 Street Layout

Adequate streets shall be provided by the subdivider such that the arrangement, character, extent, width, and grade of each shall conform to the Thoroughfare and Transportation Improvement Plan of the City and shall be considered in their relation to existing and planned streets, to the topographical conditions, to the public safety and convenience, and to their appropriate relationship to the proposed use of the land to be served by such streets.

### 12-I.3 Relation to Adjoining Street Systems

Where necessary to the neighborhood pattern, existing streets in adjacent or adjoining areas shall be continued, in alignment therewith. Where adjoining areas are not subdivided, the arrangement of streets in the subdivision shall make provision for the proper projection of streets into such areas.

### 12-I.4 Street Jogs

Whenever possible, street jogs with center-line offsets of less than one hundred twenty-five feet (125') shall be avoided.

### 12-I.5 Half Streets

No half streets shall be platted.

### 12-I.6 Dead-end Streets

Dead-end streets shall be prohibited except short stubs to permit extension. Temporary turnarounds may be required.

### 12-I.7 Cul-de-Sacs

Cul-de-sacs shall not exceed two thousand feet (2000') in length to radius point, and shall terminate in a turnaround not less than one hundred feet (100') in diameter, with a pavement diameter of eighty feet (80'). The number of dwelling units may not exceed thirty (30) on any cul-de-sac, regardless of length.

### 12-I.8 Street Intersections

Acute angles between streets at their intersections are to be avoided.

### 12-I.9 Principal Streets on Master Plan

Where a subdivision embraces a major or minor arterial or collector street as shown on the City of College Station Thoroughfare and Transportation Improvement Plan, such street shall be platted to maintain continuity in the approximate location as shown, and of the type indicated. In certain cases the City may have constructed a street through the area to be subdivided, in which case the subdivider shall develop the necessary street intersections at his expense, in accordance with the requirements of this chapter. The Planning & Zoning Commission may require that, where practical, residential lots adjacent to arterial streets or parkways be platted or restricted so as to prevent driveways opening into such streets.

All principal streets, major and minor arterials and collectors (if they will be continuous beyond the rural residential subdivision) shall be constructed to urban standards as contained in Section 8-G, Streets. All residential streets and those collectors, which are

wholly contained within the rural residential subdivision and provide internal circulation for the rural residential subdivision(s) only, may be constructed to the standards contained within this section.

#### 12-I.10 Minor Streets

Minor streets shall be laid out to discourage through traffic.

(Ordinance No. 2188 of June 26, 1996)

#### 12-I.11 Geometric and Pavement Standards

Design criteria for urban and rural streets and alleys are contained in the Bryan/College Station Unified Design Guidelines and the *Bryan/College Station Unified Technical Specifications*.

(Ordinance No. 2816 of July 28, 2005)

#### 12-I.12 Standard Details and Specifications

Refer to the City of College Station Street Specifications for the standard pavement cross-section detail and specifications regarding all pavement materials.

#### 12-I.13 Street Names

New streets shall not only be named so as to provide continuity of existing streets, but shall be named to prevent conflict with identical or similar names in other parts of the City. New streets shall not be named after any living person."

(Ordinance No. 2269 of October 9, 1997)

### 12-J. Easements

#### 12-J.1 Drainage Easements

Where a subdivision is traversed by a watercourse, drainage way, natural channel or stream, there may be required a drainage easement or right-of-way conforming substantially to the limits of such watercourse, plus additional width to accommodate future needs as determined by the City Engineer. The City of College Station Drainage Policy and Design Standards shall be used as a guideline for easement sizing. No construction, including fences, shall impede, constrict, or block the flow of water in any easement or natural watercourse. Such easement shall not be considered a part of the lot area for purposes of minimum lot size requirements of the zoning ordinance

#### 12-J.2 Utility Easements

##### 12-J.2.1 Utility Layout

A utility layout is required for all rural residential subdivisions, which shall include all utilities proposed to be installed in the subdivision, as well as any future utilities. Based on this layout, all lines shall have adequate clearance from other utilities and each block shall have a utility easement either at the rear or the front of all lots, reserved for the use of these utility lines, conduit, and equipment. These utility easements shall be twenty feet (20') in width, and shall be continuous for the entire length of a block. If taken at the rear of the lots, it shall be taken as ten (10') feet from each lot where the rear of the lots abut each other. These easements shall be parallel as closely as possible to the street line frontage of the block. The City's electrical engineer will design the electrical system in all subdivisions.

##### 12-J.2.2 Additional Easement

Where utility easements are not themselves straight within each block, or if the same do not connect on a straight course with utility easements of adjoining blocks, then an additional easement shall be provided for the placement of guy wires on lot

division lines in order to support poles set on curving or deviating rights-of-way or easements.

#### 12-J.2.3 Easements Required by City Engineer

Utility easements may be required across parts of lots other than as described above upon recommendation of the City Engineer. Where the proposed subdivision adjoins an unplatted area, the full twenty foot (20') width of easement may be required along the rear of lots adjoining the unplatted area.

#### 12-J.2.4 Fencing in Easements

Utility easements may be fenced if unlocked gates are provided to allow free movement of excavating machines, maintenance equipment, and personnel throughout the full length of the easement.

### 12-K. Blocks

#### 12-K.1 General

Blocks generally shall be platted to provide two (2) tiers of lots with a utility easement between them, with proper regard for drainage channels, wooded areas and other topographical features lending themselves to attractive treatment.

#### 12-K.2 Block Lengths

Block length shall not exceed one thousand fifteen hundred feet (1,500') in rural residential subdivisions. In blocks over eight hundred feet (800') in length, there may be required, near the center of the block, an access way as hereafter defined. An access way may be required at the end of a cul-de-sac to facilitate pedestrian traffic movement.

### 12-L. Lots

#### 12-L.1 Lot Configuration

Side lot lines which make acute angles with front lines shall be avoided where practical. In general, an arrangement placing adjacent lots at right angles to each other shall be avoided.

#### 12-L.2 Lot Size and Setbacks

Lot size and setback lines shall be in accordance with zoning requirements. Lots abutting on access ways shall be treated as corner lots.

### 12-M. Access Ways

Access ways, where required, shall have a ten foot(10') right-of-way, dedicated to the public. A four foot (4') sidewalk shall be constructed in the center of the right-of-way conforming to City Engineering standards and specifications.

### 12-N. Sidewalks

Sidewalks are not required on residential and collector streets that are wholly contained within the rural residential subdivision(s). If they are provided, they shall meet all regulations in Sections 8-M.3 and 8-M.4 and shall be constructed away from the roadway surface to provide adequate safety for pedestrians. All sidewalks shall be a minimum of four feet (4') in width and constructed in accordance with City Engineering standards and specifications. Sidewalks are required on all major and minor arterials and collectors that will continue beyond the rural residential subdivision and are required to be constructed to urban street standards. Sidewalks on these streets shall meet all requirements in Section 8-M, Sidewalks.

### 12-O. Bikeways

Bikeways will be required in accordance with the Bikeway Master Plan. Refer to Section 8-N for requirements.

## 12-P. Water Supply

### 12-P.1 Goal

All rural residential subdivisions shall be provided with a safe, reliable public/private water supply to each platted lot, without compromising the City of College Station's future water distribution system.

### 12-P.2 Determination of Water Supplier

All subdividers of rural residential subdivisions shall ascertain which local water supplier is certificated to serve the proposed subdivision. If the supplier is not the City of College Station, a predevelopment meeting is mandatory and shall be held between the subdivider, proposed water supplier and the City Engineer, in order to assure that adequate water supply will be available to all lots within the subdivision.

### 12-P.3 City of College Station as Water Supplier

If the water supplier is the City of College Station, waterlines shall be sized to accommodate both domestic use and fire protection to the subdivision. The design of the waterlines shall be in accordance with all applicable city, state and federal regulations, City of College Station design standards and construction specifications and acceptable engineering standards. The design shall be approved by the City Engineer. Adequately sized waterlines shall be provided by the subdivider such that they conform to the City's Utility Master Plan.

(Ordinance No. 2188 of June 27, 1996)

### 12-P.4 Rural Water Supplier

Water for all rural subdivisions shall be as provided by the City Standards. The requirements will include the fire flow requirements as provided by the International Fire Code and the *Bryan/College Station Unified Design Guidelines and the Bryan/College Station Unified Technical Specifications* and all applicable state and federal requirements."

(Ordinance No. 2740 of August 9, 2004)

### 12-P.5 Water Wells

Water wells may be allowed in cases where supply by the City of College Station system or a rural water supplier is not possible. If water wells will be used, all locations shall be approved by the City Engineer to assure adequate clearances from sanitary sewers, septic systems and compliance with all applicable city, state and federal regulations. These locations must be shown at the time of platting.

(Ordinance No. 2188 of June 27, 1996)

## 12-Q. Fire Protection

(Note: This section was deleted in its entirety by Ordinance No. 2740 of August 9, 2004)

## 12-R. Sanitary Sewers

### 12-R.1 Goal

To provide adequate sanitary sewer service to all lots within rural residential subdivisions, that does not compromise public health or the future of the City of College Station gravity sewer collection system.

### 12-R.2 Gravity Sanitary Sewer System Required

At the time of zoning, a determination shall be made as to whether the subdivision must connect to the existing sanitary sewer system or if an on-site sewage disposal system (private septic system) will be allowed. If it is determined at the time of zoning that a gravity sewer system is required, the design of such shall meet all applicable city, state and federal

regulations, City design standards and acceptable engineering standards. Adequately sized sewerlines shall be provided by the subdivider such that they conform to the needs of the sewer service area and the City's Utility Master Plan.

#### 12-R.3 Sanitary Sewer Master Plan

If it is determined at the time of zoning that on-site sewage disposal systems (private septic systems) will be allowed, a gravity sanitary sewer master plan shall be designed for the subdivision. This master plan is required to assure that all lots, at some future date, can be connected by gravity service line to the future sewer collection system. Adequately sized sewerlines shall be provided within the subdivision's sewer master plan such that they conform to the City's Utility Master Plan. All lines designed within this master plan shall meet all applicable city, state and federal regulations, City design standards and acceptable engineering standards. This master plan shall consist of: verbiage explaining all design assumptions, plan and profile layouts of all future gravity lines to be constructed within the subdivision, and a minimum finished floor elevation established for each lot to assure a connection to the future gravity sewer collection system. All minimum finished floors established by this master plan shall be placed on the respective lots on the final plat. Said master plan shall be adopted by ordinance by Council prior to final plat approval by the Planning & Zoning Commission.

#### 12-R.4 Private Septic System Licenses

On-site sewage disposal systems (private septic systems) shall be designed to meet all requirements of the Brazos County Health Department. The system shall be licensed through the same agency and the license shall be kept current.

### 12-S. Drainage

#### 12-S.1 Goal

To provide adequate drainage facilities within rural residential subdivisions, that do not compound flooding and provide roadway facilities with adequate drainage to allow safe ingress/egress.

#### 12-S.2 Drainage Design

Drainage shall be provided to handle runoff from the subdivision in accordance with the City of College Station Drainage Policy and Design Standards. No construction shall impede, constrict, or block the flow of water in any natural or improved watercourse.

#### 12-S.3 Roadside Ditches

Roadside ditches shall be designed in accordance with the City of College Station Drainage Policy and Design Standards. They shall be a minimum of eighteen inches (18") deep, except in areas where the topography deems it inappropriate.

#### 12-S.4 Culverts

Culverts shall be designed in accordance with the City of College Station Drainage Policy and Design Standards. The minimum size of any culvert shall be eighteen inches (18"). Safety end treatments, headwalls or wingwalls are required as appropriate.

### 12-T. Utility Lines

All utility lines that pass under streets shall be installed before the street is paved, with embedment, backfill, and depths in accordance with City engineering design standards and specifications, or the crossing shall be bored.

### 12-U. Gas or Oil Lines

High pressure flammable gas or fuel lines are defined as those which are operated or may be expected in the future to operate at a pressure of over sixty (60) pounds per square inch. High pressure flammable gas or fuel lines, installed on public property, shall be buried with a



minimum cover of thirty inches (30"), and shall be marked by an all-weather typed sign, installed at each crossing and at intervals of not more than three hundred feet (300'). The signs shall be installed by the utility company, state that the line is high pressure, shall name the product or products transported therein, the utility company name and an emergency phone number.

## 12-V. Street Lights

### 12-V.1 Goal

To provide adequate street lighting for the protection of property and the public, while in keeping with a rural setting subdivision.

### 12-V.2 Standards

Installation procedures and acceptable standards for street lights shall be governed by the utility standards of the Public Utilities Department in effect at the time of subdivision construction or addition thereto.

1. The type and size of luminaire, and the installation and size of street light services, shall be determined by the Electrical Engineer for the City's Public Utilities Department. Pole type for mounting of street lights shall be selected by the Developer, subject to the approved street light pole standards of the Public Utilities Department.
2. The developer shall furnish satisfactory easements for the installation of services to street lights, with said easements to normally be five feet (5') in width.
3. The installation of subdivision lighting shall be performed by either of the following:
  - (a) By City, subject to cost reimbursement as provided in Section 9-G herein.
  - (b) By the developer or his authorized construction representative, subject to compliance with the utility street light installation standards of the Public Utilities Department.

### 12-V.3 Locations

Street lights shall be required at the following locations within rural residential subdivisions:

1. At all street intersections, and
2. At the end of all cul-de-sacs greater than 300' in length.

The subdivider may request street lights at other locations within the subdivision, given that the locations do not exceed the current standard for street light provision as outlined in Section 8-T, Street Lights, contained herein.

## 12-W. Electric Service

### 12-W.1 Goal

To provide adequate electrical service to all lots within a rural residential subdivision, that is in keeping with a rural setting and does not compromise the integrity of the City of College Station electrical distribution system.

### 12-W.2 Determination of Supplier

All subdividers of rural residential subdivisions shall ascertain which local electric supplier is certificated to serve the proposed subdivision. Where the supplier of electric service is other than the City of College Station, the supplier must meet all the applicable City ordinances and have construction specifications approved by the City's electrical engineer.

#### 12-W.3 Installation

At the developers discretion, lateral electric lines and service lines supplying electric utility service shall be placed either overhead or underground.

#### 12-W.4 Easements

The subdivider shall dedicate easements upon forms approved by City for the installation of utilities, including electric. All liens and other ownership interests shall be subordinated to the easement use.

#### 12-W.5 Underground Service

Where underground electric service is selected, all street lighting and site lighting equipment shall be placed underground except for the poles on which the lights are to be affixed.

#### 12-W.6 Underground Conduit

The subdivider shall be responsible for furnishing and installing, and the expenses related thereto, conduit for the installation of all on-site underground development feeder, lateral and service lines utilized to provide electric utility service to the subdivision. The specifications for the conduit shall be approved by the electrical department prior to installation.

#### 12-W.7 Auxiliary Equipment

Where electric service is placed underground, all auxiliary equipment for such service, including but not limited to transformers, junction enclosures and switching devices, shall be pad-mounted on grade or shall be placed underground.

#### 12-X. Monuments and Corner Markers

All monumentation for a rural residential subdivision shall be in accordance with Section 8-V contained herein."

**(Ordinance No. 2188 of June 27, 1996)**

## SECTION 13: SPECIAL CONDITIONS IN AREA OF EXTRATERRITORIAL JURISDICTION

### 13-A. General

The requirements of Section 12, Rural Residential Subdivision Regulations, shall apply to subdivisions in the area of extraterritorial jurisdiction, with the following modifications:

(Ordinance No. 2404 of August 12, 1999)

### 13-B. Streets

Streets shall be in conformity with the requirements of Section 8-G, except that the urban-rural section, as defined in the City engineering standards may be used. This section does not require curb and gutter, but requires all-weather, gravel or crushed stone base, road surface with not less than a two (2) course inverted penetration asphalt surface, and shall be not less than twenty-four feet (24') in width, with a ten foot (10') shoulder on each side. If this section is used, the minimum right-of-way width shall be seventy feet (70'), and if a major street, as shown on the master plan of streets, crosses or forms a boundary of the subdivision, the right-of-way width shall be as required in the street section.

### 13-C. Lot Width

If the subdivider constructs streets under the urban rural section, as authorized in 12-B. above, the minimum lot width shall be one hundred feet (100').

(Ordinance No. 690 of July 15, 1970 as amended by Ordinance Nos. 729, 899, 983, 984, 985, 997, and 1066)

### 13-D. Water Supply

Water for all ETJ subdivisions shall be as provided by the City Standards. The requirements will include the fire flow requirements as provided by the International Fire Code and the *Bryan/College Station Unified Design Guidelines and the Bryan/College Station Unified Technical Specifications* and all applicable state and federal requirements.

(Ordinance No. 2740 of August 9, 2004)

### 13-E. Sanitary Sewers

The sanitary sewer system shall comply with requirements of the Texas Natural Resource Conservation Commission.

(Ordinance No. 2404 of August 12, 1999)

### 13-F. Drainage

Drainage may be by surface channels.

### 13-G. Street Lights

Street lights are not required.

### 13-H. Electric Service

Electric service will not be supplied by the City.

### 13-I. City Participation

The City will not participate in the cost of the subdivision or utilities outside the City limits, including garbage collection and street maintenance.

## SECTION 14: CONFLICT WITH OTHER PROVISIONS OF CODE

Whenever the standards and specifications in this chapter conflict with those contained in another section of this Code of Ordinances, the most stringent or restrictive provisions shall govern.

## SECTION 15: OWNERSHIP

Upon completion by the subdivider, and acceptance by the City of the streets, alleys, sidewalks, parks, drainage facilities, and utilities required to be installed by the subdivider, they shall become the property of the City of College Station, Texas.

(Ordinance No. 690 of July 15, 1970 as amended by Ordinance Nos. 729, 899, 983, 984, 985, 997, and 1066)

## SECTION 16: PENAL PROVISIONS

### 16-A. Within Corporate Limits

Any person violating any provision of this chapter, within the corporate limits of the City of College Station, shall be guilty of a misdemeanor, and upon conviction, shall be fined pursuant to the General Penalty set out in Chapter 1, Section 5, of this Code of Ordinances. Prosecution or conviction under this provision shall never be a bar to any other relief for violations of this chapter.

(Ordinance No. 2030 of September 9, 1993)

### 16-B. Outside Corporate Limits

Any person violating any provision of this chapter, outside the corporate limits of the City, but within the City's extraterritorial jurisdiction, shall not be considered as committing a misdemeanor, nor shall any fine provided in 15-A. above be applicable; however, the City shall have the right to institute an action in the District Court to enjoin the violation of any provision of this chapter.

(Ordinance No. 690 of July 15, 1970 as amended by Ordinance Nos. 729, 899, 983, 984, 985, 997, and 1066)

EDITOR'S NOTE: Except for minor revisions, the above chapter was compiled from a booklet entitled The City of College Station, Texas, Subdivision Regulations. The provisions of Ordinance No. 983 which were omitted in the booklet were inserted in the appropriate sections of this chapter. To avoid possible confusion in the enforcement of the City's subdivision regulations, the format as contained in the above-referenced booklet has been maintained.

## SECTION 17: MORATORIUM ON CERTAIN APPLICATIONS

17-A. In addition to the other provisions of this ordinance, there is hereby established a moratorium on plat, replat, vacating or resubdividing plat applications for the purpose of dividing any existing single family residential lot, parcel of land or building plot.

(Ordinance No. 2438 of January 13, 2000)

17-B. No application for a plat, replat, vacating or resubdividing plat for the purpose of dividing any existing single family residential lot, parcel of land or building plot for the areas set out in 'Subsection 17-B.3 shall be accepted by the City of College Station from the date this ordinance becomes effective through October, 2000.

(Ordinance No. 2459 of July 13, 2000)

- 17-B.1 This Section shall not apply to any lot, parcel or building plot for a preliminary plat approved prior to January 13, 2000.

(Ordinance No. 2438 of January 13, 2000)

- 17-B.2. Expiration of Section

This section and the moratorium on applications established shall expire on October 15, 2000.

(Ordinance No. 2459 of July 13, 2000)

- 17-B.3. Moratorium Areas

The moratorium on applications established by this Section shall be limited to the following areas:

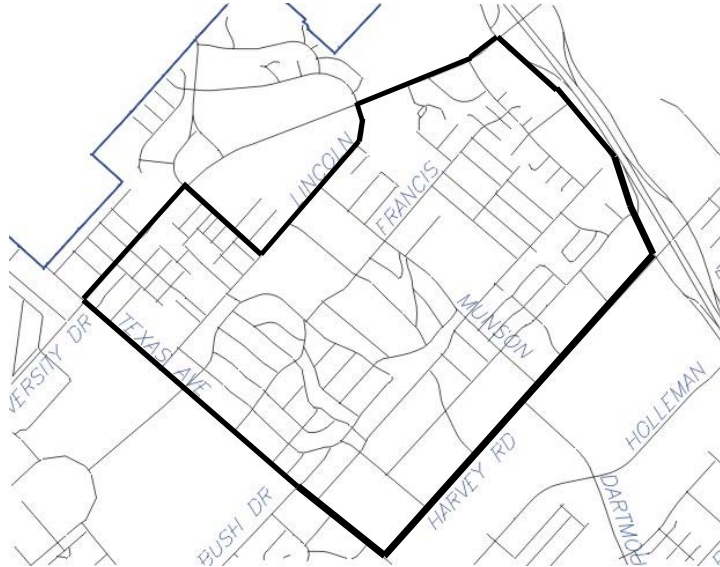
Area A- An area bounded by Texas Avenue, Holleman Drive, Glade Avenue, Southwest Parkway, Wellborn Road and George Bush Drive and reflected in Illustration A below.

Illustration A



Area B- An area bounded by Texas Avenue, University Drive, Tarrow Street, Lincoln Avenue, University Drive, the Earl Rudder Freeway, and Harvey Road and reflected in Illustration B below.

Illustration B



(Ordinance No. 2438 of January 13, 2000)

## SECTION 18: PLATTING AND REPLATTING WITHIN OLDER RESIDENTIAL SUBDIVISIONS

18-A. This section applies to all property in which any portion of that property meets the following criteria:

18-A.1 Any portion of the property is currently zoned or developed for single family residential uses as of January 1, 2002 with the exception of NG-1, NG-2 and NG-3 zoning districts; and,

18-A.2 The subject property is part of a lot or building plot that was created prior to July 15, 1970. This also includes lots that may have been vacated or replatted after July 15, 1970 but where the original plat predates July 15, 1970.

18-B. In addition to the other provisions of this ordinance, no plat, replat, vacating and resubdividing plat or other plat intended to provide for the resubdivision of an existing lot or lots in a residential subdivision may be approved unless:

18-B.1 The plat does not create an additional lot or building plot.

18-B.2 A plat which does create an additional lot or building plot must meet or exceed the average width of the lots along the street frontage, for all lots in the block and contain at least 8,500 square feet of space for each dwelling unit.

For the purpose of this section, a lot shall be defined to include the lot, lots and/or portions of lots that have been combined and used as a residential plot, as of the effective date of this ordinance.

- 18.C. It is the applicant's responsibility to provide documentation during the application process regarding the original plat in which the lot was created.

**(Ordinance No. 2544 of January 24, 2002)**

- 18.D. Section 18 shall not be applicable to the following: Plat application submitted to the City of College Station on Monday, February 16, 2004, Record No. 04-00500040 for the creation of two (2) additional lots.

The purpose of this subsection is to exempt this property from the provisions of Section 18 as provided in this Plat, to allow the creation of two (2) additional lots. It is further the intention of the City Council to maintain the provisions of Section 18 as to this property as to any subsequent replatting and the provisions of Section 18 as to other pieces of property that are covered by Section 18.

**(Ordinance No. 2698 of February 26, 2004)**

CHAPTER 9 APPENDIX  
APPENDIX A: CERTIFICATIONS

CERTIFICATE OF OWNERSHIP AND DEDICATION

STATE OF TEXAS     }  
COUNTY OF BRAZOS }

I (we) \_\_\_\_\_, owner(s) and developer(s) of the land shown on this plat, and designated herein as the \_\_\_\_\_ Subdivision to the City of College Station, Texas, and whose name(s) is/are subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, easements, and public places thereon shown for the purpose and consideration therein expressed.

\_\_\_\_\_

\_\_\_\_\_  
Owner(s)

STATE OF TEXAS     }  
COUNTY OF BRAZOS }

Before me, the undersigned authority, on this day personally appeared \_\_\_\_\_ known to me to be the person(s) whose name(s) is/are subscribed to the foregoing instrument, and acknowledged to me that he/they executed the same for the purpose and consideration therein stated.

Given under my hand and seal on this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_.

(Seal)

\_\_\_\_\_  
Notary Public, Brazos County, Texas

CERTIFICATE OF SURVEYOR AND/OR ENGINEER

STATE OF TEXAS     }  
COUNTY OF BRAZOS }

I, \_\_\_\_\_, Registered Public Surveyor (Engineer), No. \_\_\_\_\_, in the State of Texas, hereby certify that this plat is true and correct and was prepared from an actual survey of the property and that property markers and monuments were placed under my supervision on the ground.

\_\_\_\_\_



CERTIFICATE OF CITY ENGINEER

I, \_\_\_\_\_, City Engineer of the City of College Station, Texas, hereby certify that this Subdivision Plat conforms to the requirements of the Subdivision Regulations of the City of College Station.

\_\_\_\_\_  
City Engineer  
City of College Station

APPROVAL OF PLANNING AND ZONING COMMISSION

I, \_\_\_\_\_, Chairman of the Planning and Zoning Commission of the City of College Station, hereby certify that the attached plat was duly approved by the Commission on the day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
Chairman

ATTEST:

\_\_\_\_\_  
City Secretary

APPROVAL OF THE CITY COUNCIL

The attached plat was approved by the City Council of the City of College Station on \_\_\_\_\_, 19\_\_\_\_, and conforms to the conditions and requirements imposed by the City of College Station.

\_\_\_\_\_  
Mayor  
City of College Station

ATTEST:

City Secretary

CERTIFICATE OF THE COUNTY CLERK

STATE OF TEXAS     }  
COUNTY OF BRAZOS }

I, \_\_\_\_\_, County Clerk, in and for said county, do hereby certify that this plat together with its certificates of authentication was filed for record in my office the \_\_\_\_\_ day of, 19\_\_\_\_, in the Deed Records of Brazos County, Texas, in Volume \_\_\_\_\_ Page \_\_\_\_\_.

WITNESS my hand and official Seal, at my office in Bryan, Texas.

(SEAL)

\_\_\_\_\_  
County Clerk  
Brazos County, Texas

(Ordinance No. 2179 of May 9, 1996)

CERTIFICATE OF GREENWAY DEDICATION

STATE OF TEXAS     }  
COUNTY OF BRAZOS }

I (we) \_\_\_\_\_, owner(s) and developers of the land shown on this plat, and described herein as \_\_\_\_\_ Subdivision in the City of College Station, Texas, and whose name(s) is/are subscribed hereto, hereby dedicate in fee simple to the use of the public forever all greenways thereon shown for the purpose and consideration therein expressed.

\_\_\_\_\_  
\_\_\_\_\_  
Owner(s)

(Ordinance No. 2676 of November 13, 2003)